DOCUMENT RESUME

ED 244 875 SO 015 673

AUTHOR Clark, Grenville; Sohn, Louis
TITLE Introduction to World Peace through World Law. Revised Edition.
INSTITUTION World Without War Publications, Chicago, Ill.
PUB DATE 84
NOTE 111p.; In: Clark, Grenville and Sohn, Louis B. World Peace through World Law. Cambridge, Harvard University Press, 1966.
PUB TYPE Viewpoints (120)

EDRS PRICE MF01/PC05 Plus Postage.
DESCRIPTORS Change Strategies; Conflict Resolution; Disarmament; Economic Development; Futures (of Society); *Global Approach; International Cooperation; *International Law; International Organizations; Models; *Peace; War; World Affairs
IDENTIFIERS *United Nations

ABSTRACT

Two models for changing existing international organizations into effective instruments of world governance are presented. The first model revises the present Charter of the United Nations; the second calls for a new world security and development organization which would supplement the existing machinery of the United Nations for peacekeeping, peaceful settlement of disputes, and economic and social development, and which would, with the United Nations, have the necessary power to prevent war. The first part of this report explains these two models, discussing questions such as how states would be represented, what branches of government and functional agencies would be needed, what form of world court system would be required, powers of enforcement, revenue sources, and conciliation services. The second part of the booklet presents five approaches to world law and discusses specific, nonmilitary steps that the United States could take to advance the cause of world law. Also provided is an 18-page annotated bibliography on international organizations and world law and a list of nongovernmental organizations working in the United States to promote peace. (RM)

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Clark & Sohn

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Introduction to

World Peace

Through

World Law

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SP 015 673

REVISED 1984 EDITION

Introduction to World Peace through World Law

by Grenville Clark and Louis Sohn

Revised by Louis Sohn in 1973 and 1983

With Essays and Resources by Robert Woito

WORLD WITHOUT WAR PUBLICATIONS

3

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World Without War Publications is grateful to Dorothy Hammerstein, Stanley Platt, John Dickey, The New Hampshire Charitable Fund, The Jessie Gould Trust, Robert Reno, and Sam Winograd for contributions that helped to underwrite reprinting this edition of the *Introduction to World Peace through World Law.*

Cover design by Jack Stauffacher

Typography & mechanicals by J.W. Olsen / Advocate Enterprises, Ltd.

Printed in the United States of America

World Without War Publications
421 S. Wabash Avenue, Second Floor
Chicago, Illinois 60605
(312) 663-4250

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PREFACE

World Peace through World Law is a book-length proposal for world government first published in 1958. The introduction reprinted here summarizes the larger volume. The work by Grenville Clark and Louis Sohn presents a detailed plan to eliminate war as a legitimate means for resolving international conflict.

The Clark and Sohn proposals explain how to change existing international organizations into effective instruments of world governance. After the second world war, consideration of such proposals became urgent. The first use of nuclear weapons in 1945, the continuance of atmospheric nuclear testing, and the failure of the United Nations to resolve disputes between super-powers, contributed to the belief that new peacekeeping institutions were needed.

The Basic Institutional Change

Clark and Sohn propose to abolish the U.N. Security Council and give the Council's peacekeeping responsibility to a reformed General Assembly. They believe this is necessary because the U.N. Charter presumed that the victors in World War II would continue to cooperate after the war's end. The U.N. Charter therefore gave each victor a permanent place on the Security Council and the veto power within it. When the super-powers disagreed, each could and did block the other through the veto. Placing the peacekeeping responsibility in a reformed General Assembly is a way around the Security Council's inability to resolve conflicts between the super-powers.

Clark and Sohn propose that a weighted voting system be introduced into the General Assembly. Power and responsibility for its exercise would be more nearly approximated than in the current General Assembly's one-state, one-vote system. Since both powerful and weak states would benefit from an effective peacekeeping system, the proposed reform has hope of acceptance.

The Obstacles to Change

Can the Clark and Sohn proposals become a viable option in the closing decades of the Twentieth Century? The market analysis of publishers for the work say no. Unsold copies of *World Peace through World Law* have been remaindered. This judgment correctly assesses

the current American opinion. The authors' expectation that their proposals would be implemented by 1980 was clearly mistaken. Is this proposal distinguished from previous prescriptions for a world without war only by its being the latest? Or does it, rather, wisely distinguish the apparent realities of current international politics from the possibilities of the not too distant future?

Ideological conflict, cultural differences, and the voices that prevail in U.N. sessions today, all suggest that the proposals are not of contemporary political interest. The ideological divisions between the Soviet Union and the Western world remain deep, perhaps too deep to permit binding instruments of law between them. The Soviet Union continues to assert that law arises from economic systems and therefore cannot resolve basic disputes between states with competing economic systems. The Soviet Union asserts a right to impose its own version of international law within the Communist bloc and maintains there are eight new members of that block.* The United States acknowledges the legitimacy of international law but both limits its scope and rejects its extension. The United States has refused to ratify numerous human rights treaties and has yet to sign the Law of the Sea Treaty.

Cultural differences seem more pervasive today than in the 1950s. How can one expect different cultures, formed milleniums ago in the crucible of religious belief, to now generate common norms of jurisprudence that might permit even limited world law?

The history of the United Nations itself does not lead one to believe that member-states will accept binding arbitration of disputes that now result in massive preparations for war or war itself. The new majority in the General Assembly is at least as jealous of the prerogatives of sovereignty as the original members. The new majority benefits from the one-state, one-vote system. The possibility that the Security Council members will give up their veto power is remote, given that each uses the mechanism to promote its interests in any given conflict.

The Present Possibilities

Given these obstacles, can the Clark-Sohn proposals become a viable option? The *Introduction to World Peace through World Law* is being reissued in paperback form in the belief that these proposals retain their political relevance.

There are unifying elements underlying ideological, cultural, and religious differences that make a limited form of world government possible. The problems that the Clark-Sohn proposals were originally directed at have not gone away. The Clark-Sohn proposal is the clearest and most detailed model available that addresses the problems any successful proposal must resolve.

The underlying uniformities exist that unite humanity and are detailed

* Afghanistan, Angola, Cambodia, Ethiopia, Laos, Nicaragua, South Yemen, and Vietnam.

in other books (see Resources Section). They include common elements in each individual's life—birth, maturation, forming a family, joy, sorrow, and death—as well as common tasks each sustained culture has accomplished. The latter include some form of internal order and pattern of relation to external societies. But if such underlying uniformities were enough to secure peace, we would have achieved it long ago. The practical question remains: "Do enough uniformities, common interests, and political identity exist to permit the creation of new institutions which will be accepted as the legitimate means through which to conduct and resolve conflict?"

In the final analysis, there is only one alternative to war, and that alternative is law. Enforceable world law, however, cannot be achieved on a planet divided by armed ideological, religious, ethnic, and economic adversaries unless a sense of world community unites the antagonists. Such a sense of community would be expressed by agreeing to political processes through which differences are contested. Today, a sense of community in world politics is atrophied by the threat or fact of war, by gross human rights violations, and by economic deprivation. A sense of community grows as change is achieved and conflicts are resolved without violence. This sense of community is advanced as arms control agreements are achieved, world economic development occurs, and human rights are respected. Community, disarmament, development, human rights, non-violent change, and most importantly law—these are the building blocks which must be put in place if we are to experience a world without war.

As movements arise that point out the horrors and costs of war, the same or other movements must also demonstrate how war's security and change functions can be replaced. The Clark-Sohn proposals provide a thoughtful, detailed answer to how those functions could be accomplished without violence.

Is the Clark-Sohn Approach Realistic?

In a world where each state's security depends in part upon a willingness and ability to use violence, is it realistic to propose that law replace the threat or fact of war?

A realistic approach to peace must gather agreement within this country and the Western world, gain the needed response of the Soviet Union and other states, and, by facilitating change, tie the economic and political interests of the third world countries to the new institutions. A realistic approach will commend itself to a state because it increases the security of other states. Agreement to pursue the recommended changes within one country is a requisite for determining if the agreement of others may also be obtained.

The Clark-Sohn proposals could help unite constituencies in American politics that are now deeply divided. They spell out in detail what is often only implied by currents within the contemporary peace move-

ments: the institutional requirements of a world without war. They thus have an appeal to thoughtful individuals who want to move beyond fear to a constructive alternative. The Clark-Sohn proposals also offer a realistic way to challenge the expansion of Soviet influence, by making law, not violence, that way in which change is processed. Many now reject the politics of fear knowing that, in the last analysis, such politics offer no alternative to war for containing Soviet expansion. The Clark-Sohn proposals are unique in that opposition to the spread of totalitarian forms of political organization is combined with concern about the dangers of the arms race.

International/Supranational Law Has Developed

International law has been developed in two ways in the recent past. In Western Europe, there is a greatly lessened expectation of war within the European Economic Community (EEC), and this expectation is a result, in part, of an increased acceptance of international institutions. No one expects war between France and West Germany today. Nearly everyone expects trade, territorial, and even foreign policy issues to be decided by the political process of the EEC. While the supranational* features of these arrangements are modest, European-wide elections to a parliament and the right of appeal to the European Court of Justice exist. This is, in itself, a significant change. The limitations on the role of the state, the benefits of cooperation, and the strengthening of European institutions all have reduced the threat of war. Similar developments have begun in other regions and, although limited in scope, even exist on a global scale.

The Law of the Sea Treaty Conference is a recent example of how states can meet and work out laws applicable to subjects previously considered either "national or "extra-territorial." Major issues were confronted and resolved to nearly everyone's satisfaction, including the right of passage through narrow waterways, the declaration of a 200-mile coastal economic zone, the setting of a 12-mile territorial limit, agreement about rules governing pollution of international waterways, and acceptance not only by Western countries, but also by the Soviet bloc and developing countries, of a strong system for the settlement of future law of the sea disputes. At this time, disagreement remains wide over deepsea bed mining, and full implementation of the Treaty is in doubt. But the agreement itself, the strong enforcement mechanisms in the Treaty, and its partial implementation suggest how the broad principles outlined in *World Peace through World Law* can be applied to a specific problem. Louis Sohn, the surviving author of the book, played

* Supranational here means a new, sovereign authority capable of imposing binding sanctions upon those violating its rules. Transnational authority refers to actions across national lines, without implying sovereignty. International refers to intra-governmental activity.

a significant role in the Law of the Sea Conference.

The practical achievements of the European Economic Community and the Law of the Sea Conference take place in a new setting. World communication, trade, and social activity have now created the rudiments of a world society. Ideas are transmitted across national boundaries challenging social customs and attitudes. Technological innovations alter methods of production, changing the circumstances of trades or professions on the other side of the globe. The resulting conflicts and problems cannot be resolved within the institutional framework; international, if not supranational, institutions are needed. In past eras, when people confronted problems the existing political institutions could not resolve, they either created new political institutions or were surpassed by those who did. The Twentieth Century is unique in the number of international organizations created and in the powers granted to them. Now we need to apply these lessons to the problem of war.

World Law Is Possible

World law is *not* likely in this century. It is possible. Practical steps toward applying law have been taken in specific regions and addressed to common problems. But the political will necessary to abolish war is not now a major force. It is not because the costs of maintaining the existing system of security are underestimated at one end of the political system; the costs of abandoning it at the other. The political will is lacking because of fundamental disagreement about how to resolve major questions. There is not agreement among the world powers about how to determine legitimate political authority, about the best means to overcome hunger, about what are human rights, and how they can be enforced.

Failing agreement about such basic issues, the will to bear the costs of the institutions of war are accepted. A successful strategy of peace must replace the legitimate functions war now plays in world politics.

World Law Applies Now

World politics is now dominated by conflicts over who shall rule in Afghanistan, El Salvador, and other countries. Military power, for the moment, is the way these conflicts are most likely to be decided. Political leaders, much less peace movements, rarely demand that those institutions and understandings be created which could resolve such disputes.

There is no shortage of issues whose solutions would be helped by the application of law. Political terrorism, the question of self-determination, regional conflicts, arms control and disarmament, and the problem of intervention all present occasions for the advancement of law. Yet in the absence of legal or other nonviolent means to resolve disputes, conflicts will continue to be resolved as they always have been: through violence.

What Form of World Law? Alternative Approaches

The Clark and Sohn proposals provide a concrete answer to the question: "What form of law?" The authors state the general principles and specific changes that could make the United Nations an effective, although limited, world government. They introduce the problems of world law that any solution must resolve: 1) How would states be represented in the new institutions? 2) What branches of government are needed? 3) What would be the extent and limits of each branch's powers? 4) What functional agencies would be needed? 5) What form of world court system is required? 6) What powers of enforcement are needed? 7) How would revenue be obtained? 8) What kind of conciliation services would be provided?

Part II of this book outlines two approaches to world law: U.N. Charter revision and the creation of a separate but U.N.-related World Disarmament Organization. These are supplemented with three other approaches: the world constitutional convention approach to world law; the building of regional and functional U.N.-related agencies, and the full utilization of the present U.N. structure.

How to Get There from Here?

A second essay in Part II offers a number of specific, non-military steps that the United States could take to advance the cause of world law. These steps could help build a sense of community while initiating progress toward the needed institutions. These steps illustrate how one country could, without unacceptable risk to itself, move toward world peace sustained by world law.

Part II includes a brief, annotated bibliography of works about a wide range of international, organizational activity, about proposals for reform, and about existing institutions. Part II concludes with a list of non-governmental organizations working in the United States to help international organizations become effective peacekeeping and conflict resolution mechanisms.

This edition of *Introduction to World Peace through World Law* is being published to increase the recognition that movements for peace must replace war's legitimate functions and that law remains the central change needed to replace war. The Clark and Sohn proposals are the best place to begin in developing the required legal and political institutions.

Robert Woito

Chicago, Illinois
February 1984

PART I

INTRODUCTION TO WORLD PEACE THROUGH WORLD LAW: TWO ALTERNATIVE PLANS

by

Grenville Clark and Louis B. Sohn

INTRODUCTION BY GRENVILLE CLARK

as revised by

LOUIS B. SOHN

This up-dated Introduction is intended as a reasonably complete summary of the basic principles, main features, and new applications of **World Peace through World Law** *(Third Edition, Enlarged, Harvard University Press, 1966). However, for a better understanding of the detailed and interrelated proposals of the book, a study of the full text is recommended.*

February 1984

FOREWORD

When I was asked to bring up to date the *Introduction to World Peace through World Law,* which contains a succinct summary of the so-called Clark-Sohn Proposals for revision of the United Nations Charter, I agreed with some trepidation. I still remember vividly how meticulously and painstakingly my colleague Grenville Clark weighed each word and phrase in this *Introduction,* always trying to find the clearest possible expression for the complex ideas we were trying to present not just to a few experts but to a more general public. In many instances, the drafts were revised several times, until a delicate balance between the idea and its verbal embodiment was achieved, with Mr. Clark finally agreeing, rather grudgingly, "I guess it is the best we can do." Sometimes it required tremendous will power on his part, and strong urging by his collaborators, not to return to a recently finished section and to refrain from tearing it apart again. It was a laborious effort, but I believe the results justified it.

It is quite obvious that I cannot match Mr. Clark's clarity of expression or his singleness of purpose, and I cannot claim that this revised edition is exactly what he would have written. I have tried, nevertheless, to maintain the spirit of the previous editions and to make only those changes which he probably would have made had he the chance, as well as those which we were planning to make before he died. In particular, I have tried to embody in this revision of the 1960 *Introduction* the ideas we developed in preparing the alternative model for "a world organization equipped to achieve and maintain total national disarmament, to enforce world law against international violence, and to promote world economic development," which was embodied in *A Pro-*

posed Treaty Establishing a World Disarmament and World Development Organization, the Second Draft of which, prepared in May 1965, was included in the Third Edition of *World Peace through World Law.* Paralleling the proposals we made on a United Nations Outer Space Authority, I have added a section on a United Nations Ocean Authority, as I am sure Mr. Clark would have eagerly grasped the opportunity to extend the writ of the United Nations to the resources of the seabed and other ocean resources which constitute the "common heritage of mankind" and which need to be managed for the benefit of mankind as a whole. For similar reasons, it seems desirable and proper to include a section on a United Nations Environment Protection Authority, to protect and enhance the human environment for the benefit of present and future generations. At the same time, in order to maintain the compact size of the *Introduction,* some technical details and partly obsolete sections from the previous text have been omitted.

In a postscript to the *Introduction,* written in 1966, Mr. Clark expressed his belief that

> *a comprehensive plan for universal and complete disarmament and for the necessary world institution to make, interpret and enforce world law in the field of war prevention . . . will have been formulated by some important government or group of governments by 1980 and that within five years thereafter (by say, 1985) such a plan will have been ratified by all or nearly all nations, including all the major Powers.*

It is remarkable that former Secretary-General of the United Nations, U Thant, has been operating in a similar time-frame when on 9 May 1969 he issued the following warning:

> *The Members of the United Nations have perhaps ten years left in which to subordinate their ancient quarrels and launch a global partnership to curb the arms race, to improve the human environment, to defuse the population explosion, and to supply the required momentum to world development efforts.*
>
> *If such a global partnership is not forged within the next decade, then I very much fear that the problems I have mentioned will have reached such staggering proportions that they will be beyond our capacity to control.*

Precious time has been lost since this warning was issued, and

the comments made by the major powers in 1972 in connection with the item on the agenda of the General Assembly relating to the "need to consider suggestions regarding the review of the Charter of the United Nations" do not show any appreciation of the urgency of strengthening the United Nations' capacity to maintain peace and justice. To paraphrase Mr. Clark's statement, the peoples have been more apathetic, the governments more timid, and fortune less kind than he had hoped. Nevertheless, dramatic changes have occurred in the world situation in the early 1970s, and it is still possible that before the end of this decade statesmen might emerge in the leading nations of the world who will give priority to the idea of a global partnership to maintain international peace, security and justice, and—in the words of the Charter—"to promote social progress and better standards of life in larger freedom." Should they agree by 1980 on an effective plan for peace, it might be put into operation even before 1985; and the nightmare of Orwell's *1984* might not come to pass.

Louis B. Sohn

May, 1973

Postscript

The hopes expressed in 1973 have not been realized. It is not likely that by 1985 a peaceful world will be achieved. In the last few years the arms race has gained momentum while the efforts to slow it down have been progressing at a snail's pace. Though the United Nations functions well in many areas, governments are still unwilling to entrust to it a decisive role in maintaining international peace and security.

In his 1982 report, the Secretary-General of the United Nations, Javier Perez de Cuellar, has called on the international community "to reconstruct the Charter concept of collective action for peace and security so as to render the United Nations more capable of carrying out its primary function." He emphasized that "something must be done, and urgently, to strengthen our international institutions and to adopt new and imaginative

approaches to the prevention and resolution of conflicts." Unless the human race is bent on suicide, it is obvious to all who have thought seriously about the problem that peace and justice can be achieved only through a comprehensive solution, dealing simultaneously with the main problems outlined in *World Peace through World Law.* A group of experts may find different answers to the various issues presented there, but a "package deal" is necessary to provide an incentive to all governments to agree, however grudgingly, to a combination that would fulfill the most cherished wishes of each of them at a price which they would be willing to pay. For too long we have squandered our efforts on numerous "first steps" which were never followed by meaningful second steps. If governments should consent to devote a small share of their efforts to preparing a supplement to the Charter of the United Nations that would present an effective way to realizing all the objectives of mankind so well stated in the Preamble to the Charter, this goal may be realized much sooner than most think possible, if not by 1985, perhaps by 1995.

The essay which follows describes one possible way to achieve this goal. No one is going to like all of its features, but perhaps everybody may find enough satisfaction in it to be willing to accept the rest. Many variations are, of course, possible. Details are not crucial; the important point is to find a plan for peace that would be both effective and generally acceptable. If a sufficient effort is made, the collective wisdom of mankind can find the right combination.

Louis B. Sohn

September, 1982

INTRODUCTION TO WORLD PEACE THROUGH WORLD LAW

by Grenville Clark and Louis B. Sohn

TWO ALTERNATIVE PLANS

The third edition of *World Peace through World Law* (1966) presented two alternative models for achieving world law. The first was based upon a thoroughgoing revision of the present Charter of the United Nations, article by article. The second model called for a new world security and development organization which would supplement the existing machinery of the United Nations for peacekeeping, peaceful settlement of disputes, and economic and social development, and which would, with the United Nations, have the necessary power to prevent war. Recent developments have indicated the need to broaden the scope of the proposed international institutions to include the authority to preserve and protect the human environment and to supervise the management and use of the earth's natural resources which constitute the common heritage of mankind.

The second model, *A Proposed Treaty Establishing a World Disarmament and World Development Organization* (hereinafter referred to as the Draft Treaty), followed quite closely the proposed revision of the Charter; but in addition to changes required by the separate structure of the proposed new organization, the Draft Treaty included several important changes which would apply also to a revised United Nations Charter. These changes, together with some additional changes made necessary by recent international developments, have been incorporated in the summary which follows. In order not to complicate that summary unduly, it is restricted generally to a condensation of the proposals for revising the Charter of the United Nations, references being made to the Draft Treaty only when some sub-

stantial differences between the two alternative plans needs to be underlined.

The preparation of the two alternative plans rested upon the premise that sooner or later the governments of the major powers will recognize the need for a serious and persistent effort to achieve total national disarmament, the abolition of war, and a more equitable world order. The demand for such an effort will be due to the following factors: the ever-increasing number and destructive power of modern weapons; the increase in the number of nuclear powers and the danger of acquisition of nuclear weapons by a widening circle of nations; the existence of critical situations around the world which continually threaten to escalate into a global conflict; and the wasteful diversion to the arms race of resources which are desperately needed to reduce the widening gap in living standards between the "have" and the "have-not" areas of the world.

Whenever a serious discussion of an adequate plan for peace at last begins, the negotiators will find themselves faced with the questions: What form shall our efforts take? Shall we seek an agreement for the thorough and detailed revision of the United Nations Charter which will be essential if the United Nations is to be the agency to implement general and complete disarmament and thereafter to police the peace? Or shall we leave the Charter of the United Nations without substantial change and seek agreement upon a treaty creating a wholly new peace-keeping organization, closely affiliated with the United Nations and yet equipped with adequate powers and resources of its own?

In accordance with the former alternative, a detailed plan for U.N. Charter revision was presented by the two authors, Grenville Clark and Louis B. Sohn in the book *World Peace through World Law* (Harvard University Press, 1958; Second Edition, Revised, 1960).

These proposals were cast in the form of a proposed revision of the present United Nations Charter, retaining the structure of its 111 articles and supplementing those very articles, as revised, by seven annexes.

They have done this because it seemed logical and reasonable to utilize an existing organization of such scope and experience as the United Nations; because the primary purpose of the United Nations has been from the beginning "to save succeeding generations from the scourge of war"; because the name "United Nations" is very suitable to a world authority dedicated

to the maintenance of world peace under effective world law; and because the creation of a new and separate world organization adequately equipped for the maintenance of peace would necessarily overshadow the present United Nations.

Nevertheless, they did not regard this question of method as one of principle, but merely of policy. It must be recognized that if the creation of adequate world institutions for the prevention of war is to be achieved through the medium of the United Nations, numerous amendments of the Charter will be required which would together amount to a fundamental change in the structure and powers of the United Nations. And if it should develop that for technical or psychological reasons it would be more difficult to accomplish these amendments than to create a wholly new world organization to take over the peace-maintenance functions of the United Nations, they made it clear that they would not object to that alternative method. In other words, a thorough revision of the Charter was merely the most reasonable means to the end in view and not an end in itself.

When it became apparent in 1962 that the second alternative of a new world organization, not replacing but complementing the United Nations, might prove more practicable than a radical revision of the United Nations Charter, the authors recast their proposals in the form of a comprehensive Draft Treaty. The third version of that Draft Treaty was included in the Third Edition (Enlarged) of *World Peace through World Law* (1966).

The purpose of that Draft Treaty was to supplement the existing machinery of the United Nations available for the maintenance of international peace and security and the advancement of the social and economic welfare of all peoples—through the creation of a new organization, the membership of which would be open to all nations without exception.

The proposed World Disarmament and World Development Organization would be closely affiliated in various ways with the present United Nations, which would continue to exercise its limited powers under the present Charter, and would receive certain additional powers under the proposed Treaty. The new Organization, however, would have fully adequate authority and resources of its own to maintain peace, through joint action with the United Nations or through its own separate measures. Such authority and resources would also enable the new Organization effectively to reduce the immense gap in standards of living between the industrialized nations and the low-income areas of the world.

The existence of a new, separate and powerful world organization alongside the present United Nations would obviously be an awkward arrangement. And yet since it would be better to tolerate some awkwardness than to abandon the search for universal and complete disarmament and a genuine regime of enforceable world law, the idea should not be entirely dismissed.

It might be noted also that while an elaborate plan for universal and complete disarmament is included in the proposed revision of the Charter (Annex I), this does not imply that the revision of the Charter must necessarily precede an agreement for total disarmament. It is quite conceivable that an agreement on the technical aspects of universal and complete disarmament will be reached first, and that a revision of the Charter would come about later as the most logical means of ensuring adequate supervision and enforcement of such a disarmament agreement.

In conclusion, it should be made crystal clear that the authors, in casting their original proposals in the form of a comprehensive revision of the present Charter, did not intend to be dogmatic about advancing this as the only available means to the desired end; and that if it should develop that some other method should become more feasible, they would be very ready to adopt it in order to reach the end in view. In particular, should it prove more feasible to strengthen the United Nations through a series of United Nations decisions or agreements, each of which would put into effect one of the important features of the proposed plan, the authors would have no objection as long as the basic goal is kept in mind. It is the final result that matters, not the procedural means.

The Purposes and Premises of the Proposals

The purpose of *World Peace through World Law* is to contribute material for the world-wide discussions which must precede the adoption of universal and complete disarmament and the establishment of truly effective institutions for the prevention of war.

The fundamental premise of the book is identical with the pronouncement of the President of the United States on October 31, 1956: "There can be no peace without law." In this context the word "law" necessarily implies the law of a world authority, i.e., law which would be uniformly applicable to all nations and all individuals in the world and which would definitely forbid violence or the threat of it as a means for dealing with any inter-

national dispute. This world law must be true law that is capable of enforcement, and not merely a set of exhortations or injunctions which it is desirable to observe but for the enforcement of which there is no effective machinery.

The proposition "no peace without law" also embodies the conception that peace cannot be ensured by a continued arms race, or by an indefinite "balance of terror," or by diplomatic maneuvers, but only by universal and complete national disarmament together with the establishment of institutions corresponding in the world field to those which maintain law and order within local communities and nations.

A prime motive for this book is that the world is far more likely to make progress toward genuine peace, as distinguished from a precarious armed truce, when a *detailed* plan adequate to the purpose is available, so that the structure and functions of the requisite world institutions may be fully discussed on a world-wide basis. Consequently, this book comprises a set of definite and interrelated proposals to carry out complete and universal disarmament and to strengthen the United Nations through the establishment of such legislative, executive and judicial institutions as are necessary to maintain world order.

Underlying Principles

The following are the basic principles by which the authors have been governed.

First: It is futile to expect genuine peace until there is put into effect an effective method of *enforceable* world law in the few areas which are undeniably of common concern to all mankind. This implies, in particular: (a) the complete disarmament, under effective controls, of each and every nation, and (b) the simultaneous adoption on a world-wide basis of the measures and institutions which the experience of centuries has shown to be essential for the maintenance of law and order, namely, clearly stated law against violence, courts to interpret and apply that law and police to enforce it. All else, we conceive, depends upon the acceptance of this approach.

Second: The world law against international violence must be explicitly stated in constitutional and statutory form. It must, under appropriate penalties, forbid the use of force by any nations against any other for any cause whatever, save only in self-defense; and must be applicable to all individuals as well as to all nations.

Third: World judical tribunals to interpret and apply the world law against international violence must be established and maintained, and also organs of mediation and conciliation—so as to substitute peaceful means of adjudication and adjustment in place of violence, or the threat of it, as the means for dealing with all international disputes.

Fourth: A permanent world police force must be created and maintained which, while safeguarded with utmost care against misuse, would be fully adequate to forstall or suppress any violation of the world law against international violence.

Fifth: The complete disarmament of all the nations (rather than the mere "reduction" or "limitation" of armaments) is essential for any solid and lasting peace, this disarmament to be accomplished in a simultaneous and proportionate manner by carefully verified stages and subject to a well-organized system of inspection. It is now generally accepted that disarmament must be universal and enforceable. That it must also be complete is no less necessary, since: (a) in the nuclear age no mere reduction in the new means of mass destruction could be effective to remove fear and tension; and (b) if any substantial national armaments were to remain, even if only ten percent of the armaments of 1983, it would be impractical to maintain a sufficiently strong world police force to deal with any possible aggression or revolt against the authority of the world organization. We should face the fact that until there is *complete* disarmament of every nation without exception there can be no assurance of genuine peace.

Sixth: Effective world machinery must be created to mitigate the vast disparities in the economic condition of various regions of the world, the continuance of which leads to instability and conflict.

Seventh: Adequate arrangements need to be made for an equitable management of mankind's common resources—especially outer space and the oceans—and for the preservation and protection of the human environment.

The following supplementary principles have also guided us:

Active participation in the world peace authority must be universal, or virtually so; and although a few nations may be permitted to decline active membership, any such nonmember nations must be equally bound by the obligation to abolish their armed forces and to abide by all the laws and regulations of the world organization with relation to the prevention of war. It follows that the ratification of the constitutional document creating the world peace organization (whether in the form of a revised

United Nations Charter or otherwise) must be by a preponderant majority of all the nations and peoples of the world.

The world law, in the limited fields of war prevention, management of common resources, and environmental protection to which it would be primarily restricted, should apply to all individual persons in the world as well as to all the nations—to the end that in case of violations by individuals without the support of their governments, the world law could be invoked directly against them without the necessity of indicting a whole nation or group of nations.

The basic rights and duties of all nations with respect to the maintenance of peace should be clearly defined not in laws enacted by a world legislature but in the constitutional document itself. That document should carefully set forth not only the structure but also the most important powers of the various world institutions established or authorized by it; and the constitutional document should also define the limits of those powers and provide specific safeguards to guarantee the observance of those limits and the protection of individual rights against abuse of power. By this method of "constitutional legislation" the nations and peoples would know in advance within close limits what obligations they would assume by acceptance of the new world system, and only a restricted field of discretion would be left to the legislative branch of the world authority.

The powers of the world organization should be restricted to matters directly related to the maintenance of peace. All other powers should be reserved to the nations and their peoples. This definition and reservation of powers is advisable not only to avoid opposition based upon fear of possible interference in the domestic affairs of the nations, but also because it is wise for this generation to limit itself to the single task of preventing international violence or the threat of it. If we can accomplish that, we should feel satisfied and could well leave to later generations any enlargement of the powers of the world organization that they might find desirable.

While any plan to prevent war through total disarmament and the substitution of world law for international violence must be fully adequate to the end in view, it must also be *acceptable* to this generation. To propose a plan lacking in the basic essentials for the prevention of war would be futile. On the other hand, a plan which, however ideal in conception, is so far ahead of the times as to raise insuperable opposition would be equally futile. Therefore, we have tried hard to strike a sound balance by

setting forth a plan which, while really adequate to prevent war, would, at the same time, be so carefully safeguarded that it *ought* to be acceptable to all nations.

Main Features of the Whole Plan

In harmony with the underlying principles, the most important specific features of the proposed plan may be summarized as follows:

(1) *Membership.* The plan contemplates that virtually the whole world shall accept permanent membership before that plan comes into effect—the conception being that so drastic a change in the world's political structure should, in order to endure, be founded upon unanimous or nearly unanimous approval.

The assurance of assent by a great preponderance of the nations and peoples of the world would be accomplished by providing: (a) that every independent state in the world shall be eligible for membership and may join at will; (b) that the proposed plan shall come into force only when ratified by five-sixths of all the nations of the world, the ratifying nations to have a combined population of at least five-sixths of the total world population and to include all the four nations which then have the largest populations as well as at least seven of the twelve nations which then have the twelve next largest populations, at least two of which shall be in Europe and at least four outside Europe. The assurance of permanent membership would be provided by specifying that no nation, once having ratified the proposed plan, could either withdraw or be expelled.

The practical result would be that the plan would not even become operative until active and permanent support had been pledged by a great majority of all nations, including as the four largest nations the People's Republic of China, India, the Soviet Union and the United States.

Since in 1980 there were some one-hundred-and-sixty nations generally recognized as independent states or likely to be so recognized within a few years thereafter, the number of nonratifying nations under the proposed ratification formula would not exceed twenty-seven, almost all of which would be nations with populations of less than fifty million.

With so large a preponderance in the number and population of the ratifying nations, it is reasonable to suppose that within a few years after the ratification of the proposed plan, there would

be no nonmember nations whatever. For it seems clear that few, if any, nations would wish to stand out when at least five-sixths of all the nations of the world, having over eighty percent of its population, had agreed to the new plan for world peace.

The likelihood that there might not be a single nonmember nation is made the greater by the proposed requirement that every one of the necessarily small minority of nonmember nations shall, nevertheless, be required to comply with all the prohibitions and obligations of the disarmament plan. This provision that *every* nation in the world shall completely disarm and shall comply with the plan for the substitution of world law for international violence is deemed fundamental, since if even one small nation were permitted to possess the new weapons of mass destruction, such fears and suspicions might remain as to prevent the adherence of others, and the entire plan might be frustrated.

(2) *The General Assembly.* A radical revision is proposed as to the powers, composition and method of voting of the General Assembly. (The alternative plan contains similar provisions with respect to the proposed General Conference of the World Disarmament and World Development Organization.)

Although the plan sets forth in the Charter itself and its annexes (or in the Draft Treaty) all the *basic provisions* of the disarmament process and of other main features (such as the proposed world police force, the revenue system and the judicial system), it would still be true that in order to *implement* these basic provisions, the powers of the legislative and executive branches of the world organization must be considerable.

The plan calls for imposing the final responsibility for the enforcement of the disarmament process and the maintenance of peace upon the General Assembly itself, and gives the Assembly adequate powers to this end. These powers would, however, be strictly limited to matters directly related to the maintenance of peace. They would *not* include such matters as regulation of international trade, immigration or the like, or any right to interfere in the domestic affairs of the nations, save as expressly authorized by the revised Charter in order to enforce disarmament or to prevent international violence where a situation which ordinarily might be deemed "domestic" has actually developed into a serious threat to world peace.

To ensure the observance of these limitations, the delegated powers would be enumerated and defined in the revised Charter; while, as still further protection, there would be an explicit reser-

vation to the member Nations and their peoples of all powers not thus delegated "by express language or clear implication."

As above mentioned, the principle is followed that all the *main features* of the whole plan shall be included in the revised Charter itself as "constitutional legislation," having in mind that the nations will be more likely to accept the plan if all its principal provisions are clearly set forth in the constitutional document itself. The effect would be to bind the nations in advance not only to all the fundamentals but also to many important details, and thus to leave for the General Assembly a more limited legislative scope than might be supposed.

Since, however, the General Assembly, even with elaborate "constitutional legislation," would need to have some definite legislative powers, the plan calls for a revision of the system of representation in the Assembly. For it cannot be expected that the larger nations would consent to give the Assembly even very limited *legislative* powers under the present system whereby Bahrain, Fiji, Gambia, Qatar, etc., have an equal vote with the United States, the Soviet Union, India, the United Kingdom, etc.

The purpose is, by abolishing the present system of one vote for each member Nation, to substitute a more equitable system, and thus to make the major nations more willing to confer upon the General Assembly the limited yet considerably increased powers that it would need.

The proposed plan of representation takes account of relative populations but is qualified by the important provisions that no nation, however large, shall have more than thirty Representatives and that even the smallest nation shall have one Representative. The upper limit of thirty would be imposed partly because weighted representation is not likely to be accepted by the smaller nations unless the differences in representation between the majority of the nations and the largest nations are kept within moderate limits, and also because without some such limitation, the General Assembly would be of so unwieldly a size as to be unable to transact business. At the other extreme the purpose is to ensure that even the very small nations shall have some voice.

The proposed formula divides the more than 160 nations, generally recognized in 1980 as independent states or likely to be so recognized by 1985, into seven categories according to relative populations, with representations as follows:

The 4 largest nations	30 Representatives each	120
The 12 next largest nations	10 Representatives each	120
The 15 next largest nations	8 Representatives each	120
The 20 next largest nations	6 Representatives each	120
The 30 next largest nations	4 Representatives each	120
The 60 next largest nations	2 Representatives each	120
The 21 small nations	1 Representative each	21
161 nations	741 Representatives	

(For a more detailed list, see Appendix.)

It is proposed that the smallest countries with populations of less than 50,000 may agree on one joint Representative and that the populations of colonial and semi-colonial areas (i.e., the non-self-governing territories and dependencies, including territories under trusteeship administration) shall not be counted in determining the representation of the independent states but that, in order to afford equal treatment to the estimated approximately 11 million people (in 1980) of these areas, they shall be entitled to representation in proportion to population on the same average basis as the people of the member Nations. It is assumed that this method would entitle these areas as a whole to four Representatives. The General Assembly would allocate these Representatives among the various territories or groups of territories, taking into account their relative populations.

The effect would be that, with relation to population, the smaller nations would still have a disproportionately large voice, but not nearly as much as under the present system of one vote for each member Nation irrespective of population.

Over a period of years, the authors have studied many plans for determining representation by various formulas that would take into account such factors as relative literacy, relative wealth as measured by per capita income or United Nations contributions, etc. We have concluded, however, that the introduction of any such factors would raise so many complications and involve such uncertain and invidious distinctions that it is wiser to hold to the less elaborate formula herein proposed.

We have also studied numerous suggestions for a bicameral world legislature in which the nations would have voting power in one house in proportion to their populations, but equal voting power in the other house irrespective of their size. Modifications of this plan in the shape of a system of double voting in a single house have also been studied. After weighing these alternatives, we conclude that the one-chamber solution herein proposed (to-

gether with representation which takes account of relative populations, but is modified by the proposed system of categories and the proposed maximum and minimum number of Representatives) is not only simpler, but also is probably as fair an arrangement as any other. However, we hold no dogmatic views on this difficult subject, the essential point being that there must be some radical, yet equitable, change in the present system of representation in the General Assembly as a basis for conferring upon the Assembly certain essential, although carefully limited, powers of legislation which it does not now possess.

(It should be noted, however, that under the alternative plan there would be in addition to the unchanged General Assembly of the United Nations a General Conference of the World Disarmament and World Development Organization, based on the weighted voting system outlined above. This plan thus provides in fact for a two-chamber legislature: one chamber with a one-nation-one-vote system, and one with weighted voting. As many important decisions would require the concurrence of the two chambers, this plan would satisfy both those who reject any changes in the present General Assembly and those who urge the introduction of a weighted voting system.)

As to the method of selection of the Representatives, it is proposed that a system of full popular election shall be gradually introduced. This would be done under a three-stage plan providing: (a) that in the first stage all the Representatives would be chosen by the respective national legislatures of the member Nations; (b) that in the second stage at least half the Representatives would be chosen by popular vote of those persons qualified to vote for the most numerous branch of the national legislature; and (c) that in the third stage all the Representatives would be chosen by the same sort of popular vote. The first two stages would normally be of twelve years each (three four-year terms of the General Assembly) but could each be extended by eight years by a special vote of the Assembly. The popular election of all the Representatives would, therefore, normally become mandatory twenty-four years after the ratification of the revised Charter and in any case not later than forty years after the revised Charter comes into force.

With regard to the terms of service of the Representatives, it is proposed that they shall serve for four years.

Two full-time Standing Committees of the General Assembly would be constitutionally provided for, namely, a Standing Committee on the Peace Enforcement Agencies and a Standing

Committee on Budget and Finance. The former would be a "watchdog" committee to exercise legislative supervision over the process and maintenance of disarmament and over the United Nations Peace Force. The latter would have vital functions in submitting to the Assembly recommendations as to the amount and apportionment of each annual budget for all the activities of the strengthened United Nations.

With relation to the powers of the revised General Assembly, a clear distinction would be made between legislative powers and powers of recommendation. The *legislative* powers would be strictly limited to matters directly related to the maintenance of peace, whereas the extensive powers of mere recommendation now possessed by the Assembly would be retained and even broadened. To this end, the Assembly's legislative authority would, as above mentioned, exclude any regulation of international trade, immigration or the like and any right to interfere in the domestic affairs of the nations, save only as strictly necessary for the enforcement of disarmament or, in exceptional circumstances, for the prevention of international violence.

On the other hand, as distinguished from the power to legislate, the General Assembly would have the right to make non-binding *recommendations* on any subject which it deemed relevant to the maintenance of peace and the welfare of the world's people.

(3) *The Executive Council.* It is proposed to abolish the present Security Council and to substitute for it an Executive Council, composed of seventeen Representatives elected by the General Assembly itself. This new and highly important organ would not only be chosen by the Assembly, but would also be responsible to and subject to removal by the Assembly; and the Council would serve the same four-year terms as the Representatives in the Assembly.

Special provision would be made for representation of the larger nations: each of the four largest nations (China, India, the United States, and the Soviet Union) would be entitled at all times to have one of its Representatives on the Council; and six of the twelve next largest nations (Bangladesh, Brazil, France, West Germany, Indonesia, Italy, Japan, Mexico, Nigeria, Pakistan, the United Kingdom and Viet-Nam) would in rotation also be entitled to representation, with the proviso that two of these six shall always be from nations in Europe and the other four from nations outside Europe. The remaining seven members would be chosen by the Assembly from the Represen-

tatives of all the other member Nations under a formula designed to provide fair representation for all the main regions of the world and to ensure that every member Nation, without exception, shall in due course have a Representative on this all-important Council.

In contrast to the voting procedure of the present Security Council, whereby any one of the five nations entitled to "permanent" membership has a veto power in all nonprocedural matters, the decisions of the new Executive Council on "important" matters would be by a vote of twelve of the seventeen Representatives composing it, with the proviso that this majority shall include seven of the ten members of the Council from the sixteen member Nations entitled to ten or more Representatives in the Assembly and a majority of the seven other members of the Council. All other decisions would be by a vote of any twelve members of the Council.

This Executive Council would constitute the *executive arm* of the strengthened United Nations, holding much the same relation to the General Assembly as that of the British Cabinet to the House of Commons. Subject to its responsibility to the Assembly, the new Council would have broad powers to supervise and direct the disarmament process and other aspects of the whole system for the maintenance of peace provided for in the revised Charter.

The Executive Council would, for example, decide (subject to review by the General Assembly) as to whether each stage of the disarmament process has been satisfactorily completed and, once complete national disarmament has been achieved, would watch over its maintenance. Nevertheless, the Council would always remain subordinate to the Assembly, which would have final authority to make such crucial decisions as the possible postponement of any stage of the disarmament process, and the imposition of sanctions in case of any breach of the peace or serious violation by any nation of the authority of the United Nations.

(The alternative plan provides also for an Executive Council of the World Disarmament and World Development Organization, with powers and composition similar to those of the United Nations Executive Council described above. But under the alternative plan, the Executive Council would be in addition to the Security Council of the United Nations rather than a substitute for it, and the Security Council would be empowered in certain circumstances to overrule the decisions of the General Confer-

ence or the Executive Council of the World Disarmament and World Development Organization.)

(4) *Economic and Social Council, Trusteeship Council.* These two Councils would be continued, but with a somewhat larger and different composition than under the present Charter, that is designed to provide a wider and better-balanced representation on these Councils.

Like the Executive Council these two other Councils would be directly responsible to the Assembly. Their responsibilities would be enlarged; at the same time their usefulness would be enhanced by reason of the greatly increased funds which would be available to them under the proposed new revenue system.

(5) *The Disarmament Process.* Annex I to the revised Charter and Chapter III of the Draft Treaty contain a carefully framed plan for the elimination—not the mere "reduction" or "limitation"—of *all* national armaments, step by step over a six-year period. (This plan has been considerably revised in the Draft Treaty, and the text which follows is based on that revision, with some additional changes.)

During the first year after the coming into force of the Treaty, an Inspection Service would be organized and would take the necessary preparatory steps for starting the disarmament process. In each six-month period thereafter ten per cent of any and all military organizations would be disbanded, and ten per cent of all armaments and armament-making facilities would be destroyed or converted to other uses. The result would be that at the end of the five-year actual disarmament period (six years after the coming into force of the Treaty) no nation would possess any *military* forces whatever and the only military force in the world would be the United Nations Peace Force.

Even after the complete elimination of all national *military* forces each nation would retain such lightly armed internal *police* forces as are needed for internal order only—subject to careful restrictions as to the maximum size of such police forces relative to population and as to the character of the weapons permitted to them.

At the end of the first year after the coming into force of the Treaty, an armed truce would take effect, under which all nations would be legally bound not to increase their existing armed strength. Then would follow the above-mentioned ten disarmament stages of six months each, during each of which there would be a ten percent across-the-board arms reduction, applying equally to all categories of military units, armaments and

armament production facilities.

Each ten per cent reduction will be verified by the United Nations Inspection Service in accordance with the following provisions. Every nation would provide the Inspection Service with a map of its territory, indicating ten disarmament areas, each of which might be composed of several non-contiguous subdivisions, and would certify that each area contains about one-tenth of its military forces and of its important military installations and production facilities. At the beginning of each of the ten periods of disarmament, the Inspection Service would choose one of the areas and would arrange for immediate surveillance of the boundaries of the chosen area to ensure that no military forces or material are removed from that area during the first three months of each disarmament period. During the remaining three months of each disarmament period, the Inspection Service would enter the area and would verify that all military forces in that area have been disbanded and that all military material, installations or production facilities have been destroyed. Should a nation wish to retain for the time being certain forces, material, installations or production facilities in the selected area, equivalent numbers would have to be disbanded or destroyed in one of the other areas under the supervision of the Inspection Service. Once an area has been inspected, it would remain open for further inspection while the system of verification would be extended to additional areas.

This step-by-step reduction would provide every nation with an effective safeguard against cheating by others, since each stage would have to be completed by *all* nations before *any* nation could be called upon to begin the next stage. Provision would be made for delaying the whole process (by one or more postponements in no case exceeding six months) until any non-complying nation was brought into line.

A portion of the eliminated national armaments would be turned over to the United Nations Peace Force, which would be built up to its full strength during the same period as that of the disarmament process. Another portion, consisting of all the nuclear weapons which have not been destroyed, all nuclear materials contained in destroyed nuclear weapons, and all nuclear materials from which nuclear weapons could be made, would be turned over to a civilian agency, to be known as the United Nations Nuclear Energy Authority. Fair compensation would be paid for the materials thus transferred. All the rest of the eliminated national armaments would simply be destroyed.

The United Nations Nuclear Energy Authority would see to it that nuclear materials were used only for power production and other peaceful purposes, except that it would hold a carefully limited quantity of nuclear weapons for delivery to the Peace Force if (and only if) the General Conference should deem the use or possible use of such weapons to be absolutely necessary. The Nuclear Energy Authority would also assist the Inspection Service by providing special technical skills needed for inspecting nuclear facilities and devices. Similar regulatory and inspection functions in the field of rockets, satellites and spacecraft would be performed by another civilian agency, to be known as the United Nations Outer Space Authority.

After completion of the disarmament process, effective safeguards against rearmament of any kind would come into effect.

The proposed Inspection Commission, the members of which would be appointed for five-year terms by the Executive Council subject to confirmation by the General Assembly, would consist of five persons, none of whom could be a national of any of the sixteen nations having ten or more Representatives in the General Assembly and no two of whom would be nationals of the same nation. The administrative head of the Inspection Service would be an Inspector-General, who would be appointed by the Inspection Commission for a six-year term, subject to confirmation by the Executive Council, and would be subject to removal by the Commission.

The Executive Council would have general supervision over the Inspection Commission with authority to issue instructions to the Commission and to remove any member of the Commission.

Very careful safeguards would be provided to ensure the competence and integrity of the personnel of the Inspection Service and their devotion to the purposes of the United Nations. These would include a provision limiting the number of nationals of any one nation among those performing duties of actual inspection to not more than four percent of the total number of Inspectors; a requirement that all the personnel of the Service shall be recruited on as wide a geographical basis as possible; a prohibition against their seeking or receiving instructions from any government or authority except the United Nations; and the requirement of a solemn declaration that they will perform their functions impartially and conscientiously. On the other hand, all the personnel of the Service will be assured "fully adequate" pay and allowances and retirement pensions free from all taxation.

As a still further safeguard, the Standing Committee on the

Peace Enforcement Agencies of the General Assembly would have the responsibility of watching over the proper performance by the Inspection Commission of its duties and also over the proper exercise by the Executive Council of its general authority over the Commission, with full power to investigate and report to the Assembly itself.

The proposed powers of the Inspection Service are carefully defined in Annex I of the revised Charter (and in Chapter III of the Draft Treaty); and the General Assembly would be empowered to adopt further regulations to ensure, on the one hand, the efficacy of the inspection system and, on the other hand, to protect nations and individuals against possible abuses of power. While Inspectors would be given unlimited access to any buildings or places where any dangerous activities might be conducted, periodic inspections of less dangerous activities would be restricted to a reasonable number per year. Any additional inspection of activities subject only to periodic inspection and of places not ordinarily subject to inspection could be conducted only on the basis of a special authorization issued by one of the United National regional courts which would be established as explained below. Such an authorization could be granted only upon a showing to the court of reasonable cause to believe or suspect that a prohibited activity is being conducted in the place sought to be inspected. Regular aerial surveys would be provided for, subject to the limitation that no more than three regular surveys of any particular territory could be conducted in any year. Special aerial surveys could also be made, but only upon court authorization after a showing to the court of reasonable cause.

The reduction process during each six-month period would be verified by the Inspection Commission, which would report fully to the Executive Council as to whether the required reductions had been duly carried out by all the nations. The General Assembly, advised by the Council, would have power to suspend the disarmament process for six months at a time if not fully satisfied that it was being faithfully fulfilled.

This disarmament plan, if normally carried out without either delay or acceleration, should be completed in six years, i.e., the one year of the "preparatory stage" and the normal five years of the "actual disarmament stage." At the end of the latter period, no *national* military forces whatever would exist; and the only military force in the entire world (as distinguished from limited and lightly armed internal police forces) would be a world police force, to be called the "United Nations Peace Force," which

would be built up parallel with and in proportion to the disarmament process.

No plan for universal and complete disarmament is practicable, unless *all* nations are bound by it. It is apparent to all that if any one of the larger and stronger nations were exempted from the disarmament process, no such disarmament would be feasible. But it is equally true in this world of novel weapons of tremendous destructive power that even a small nation might become a menace to the peace of the world. The disarmament system must, therefore, include *every* nation, whether a member of the United Nations or not; and the plan would contain appropriate provisions to that end.

As noted above, the disarmament plan also includes provision for a United Nations Nuclear Energy Authority with dual functions: (a) to assist the Inspection Service in guarding against possible diversion of nuclear materials to any war-making purpose, and (b) to promote the world-wide use of nuclear materials and processes for peaceful purposes. To these ends, the Nuclear Energy Authority would have wide powers to acquire by purchase at a fair price all nuclear materials in the world, with the obligation to have them put to use at fair rentals for peaceful purposes in all parts of the world under arrangements that would apportion the materials fairly and safeguard them against seizure. It is contemplated that this new Authority, having wider scope and membership than the International Atomic Energy Agency established in 1956, would take over the personnel and functions of that Agency.

As in the case of the Inspection Service, the Nuclear Energy Authority would be under the direction and control of a five-member Commission. This body would be called the Nuclear Energy Commission. Within its field this Commission would correspond to the Inspection Commission and would be subject to the same careful provision as the Inspection Commission with respect to the eligibility of its members and the authority of the Executive Council to supervise its policies and to remove any member.

A new feature of the disarmament plan, made necessary by the recent penetration of outer space and its potentialities for the future, is a proposed United Nations Outer Space Authority. The broad objectives sought are: (a) to ensure that outer space is used only for peaceful purposes, and (b) to promote the exploration and use of the man-controlled reaches of space for the common benefit of all the people of this earth, rather than

for the benefit of any nation or any part of mankind.

The Outer Space Authority would, subject to the overall authority of the General Assembly and the Executive Council, be under the "direction and control" of a United Nations Outer Space Commission. This Commission, like the Inspection Commission and the Nuclear Energy Commission, would be composed of five members appointed for five-year terms by the Executive Council subject to confirmation by the General Assembly and would be subject to removal by the Council.

Both the revised Charter and the Draft Treaty include adequate provisions for reporting any violations of the disarmament plan; for correcting such violations; for the prosecution of serious individual violators in regional courts of the United Nations; and for sanctions against nations themselves in the possible event of defiance or evasion by any government. As a still further safeguard, there would be the above-mentioned committee of the General Assembly (the Standing Committee on the Peace Enforcement Agencies) with the function of keeping a sharp eye on all aspects of the disarmament process and of keeping the Assembly informed of any derelictions or defects.

It is a basic premise of this necessarily elaborate plan for universal and complete disarmament that, while the proposed system of inspection and control could not provide *absolute* assurance against the clandestine retention or manufacture of weapons, it could and would provide highly effective protection. It would be fallacious and a counsel of despair to reject the idea of the complete abolition of national armaments, including nuclear weapons, merely because no absolute or "foolproof" guarantee can be supplied that every ounce of dangerous war material has been accounted for and that no dangerous new weapon could ever be secretly made.

It is believed that the whole proposed system of inspection, including the inspection of all means of "delivery" of nucelar weapons, would, in practice, make it impossible for any group within a nation or any nation itself to assemble weapons that would constitute a serious danger. And it is also to be remembered that a powerful world police force would always be in the background for the very purpose of deterring or suppressing any attempt at international violence.

The guarantees of safety to be relied upon when all national armaments are abolished lie, therefore, in the *combination* of a comprehensive and highly organized inspection system with a coercive force of overwhelming power. Not exclusively on one or

the other, but on the *combined* effect of both, the world could safely rely in the abandonment once and for all of all national military forces.

(6) *A World Police Force.* The plan is framed upon the assumption that not even the most solemn agreement and not even the most thorough inspection system, or both together, can be *fully* relied upon to ensure that every nation will always carry out and maintain complete disarmament and refrain from violence under all circumstances. Moreover, it must be recognized that even with the complete elimination of all *military* forces there would necessarily remain substantial, although strictly limited and lightly armed, internal police forces and that these police forces, supplemented by civilians armed with sporting rifles and fowling pieces, might conceivably constitute a serious threat to a neighboring country in the absence of a well-disciplined and heavily armed world police.

In short, our conception is that if police forces are necessary to maintain law and order even within a mature community or nation, similar forces will be required to guarantee the carrying out and maintenance of complete disarmament by each and every nation and to deter or suppress *any* attempted international violence. In consequence, detailed constitutional provision is made for a world police force, to be organized and maintained by the strengthened United Nations and to be called the "United Nations Peace Force." This world police force would be the only *military* force permitted anywhere in the world after the process of national disarmament has been completed. It would be built up during the above-described "actual disarmament stage," so that as the last national military unit is disbanded the organization of the Peace Force would simultaneously be completed.

Annex II to the revised Charter and Chapter IV of the Draft Treaty provide in detail for an organization and maintenance of the proposed United Nations Peace Force—for its recruitment and pay, its terms of service, its maximum and minimum strength, and for its training, equipment, disposition and functions. This Peace Force would consist of two components—a standing component and a Peace Force Reserve—both of which would, save in extreme emergency, be composed solely of volunteers.

The standing component would be a full-time force of professionals with a strength of between 200,000 and 400,000, as determined from year to year by the General Assembly. The proposed term of service for its enlisted personnel would be not less than

four and not more than eight years, as determined by the General Assembly, with provision for the re-enlistment of a limited number of especially well-qualified personnel.

With respect to the composition of the standing component, assurance would be provided through various specific limitations that it would be recruited mainly, although not exclusively, from the smaller nations. These limitations would include: (a) a provision whereby the number of nationals of any nation serving at any one time in the standing component shall not exceed three per cent of its then existing total strength; (b) a provision that the number of nationals of any nation in any one of the three main branches (land, sea and air) of the standing component shall not exceed three percent of the then existing strength of the officer branch; (c) a provision that the number of nationals of any nation serving at any one time in the officer corps of either of the three main branches of the standing component shall not exceed three per cent of the then existing strength of the officer corps of such main branch; and (d) a provision that not less than two percent of the total strength of the standing component shall be nationals of any of the sixteen largest nations and that not less two percent and not more than five percent shall be nationals of the nations constituting any of the eleven to twenty regions into which the whole world outside the sixteen largest nation would be divided by the General Assembly (as noted in the next paragraph).

The units of the standing component would be stationed throughout the world in a way that would avoid undue concentration in any particular nation or region, and, on the other hand, would facilitate prompt action for the maintenance of peace if and when required. Proposed specific provisions in this respect include: a direction that the standing component shall be stationed at military bases of the United Nations so distributed around the world as to facilitate its availability in case prompt action to prevent or suppress international violence is directed by the General Assembly (or in certain circumstances by the Executive Council); a provision that no such base shall be situated within the territory of any nation entitled to ten or more Representatives in the General Assembly, thus ensuring that no United Nations military base would be located in any of the sixteen largest nations; a provision that all the territory of the world outside that of the sixteen largest nations shall be divided by the General Assembly into eleven to twenty regions for the special purpose of distributing elements of the standing com-

ponent between such regions, with the proviso that not less than five percent and not more than ten percent of the total strength of the standing component shall be stationed in bases of any one of those regions, save only when the Peace Force has been duly called upon to take action.

In order to ensure the greatest possible security for the standing component, provision would be made that its units be located to the greatest extent possible on islands or peninsulas, or in other easily defensible positions.

The mobility of the standing component would be of great importance, in order that its widely distributed units could be promptly brought together into a formidable force in the event of any serious threat of international violence or serious defiance of the authority of the world organization. The equipment of the standing component should, therefore, include an ample number of large and swift aircraft for the long-distance transport of men and supplies, as well as helicopters to assure local mobility.

As distinguished from the active or standing component, the Peace Force Reserve would have no organized units whatever, but would consist only of individuals partially trained and subject to call for service with the standing component in case of need. It would have a strength of between 300,000 and 600,000, to be determined from time to time by the General Assembly. Its members would be recruited subject to careful provisions as to geographical distribution identical with those applicable to the standing component. The proposed term of service of its enlisted personnel would be not less than six and not more than ten years, as determined by the General Assembly. They would receive a minimum amount of basic training during the first three years of their term of service and some further training during the remainder of their term; except for these training periods, they would remain in their home countries on a stand-by basis subject to call.

The officers of both components would be selected, trained and promoted with a view to "ensuring an officer corps of the highest possible quality" with adequate opportunity for the selection as officer candidates of highly qualified persons from the rank and file.

Specific provision would be made for adequate pay and allowances for the personnel of both components, all pay and other compensation (including retirement pensions) to be free from all taxation.

It is contemplated that the United Nations Peace Force shall

be regularly provided with the most modern weapons and equipment, except that its possession or use of biological, chemical or any other weapon adaptable to mass destruction, other than nuclear weapons, would be forbidden, special provision being made, as hereafter mentioned, for the use of nuclear weapons in extreme circumstances. The initial weapons and equipment of the Peace Force would come from the transfer of weapons and equipment discarded by national military forces during the process of complete disarmament. Subsequent supplies would be produced by the United Nations in its own production facilities through a separate agency to be established by the General Assembly and to be called the United Nations Military Supply and Research Agency. This Agency would engage in research relative to the development of new weapons and relative to methods of defense against the possible use by any nation of prohibited weapons clandestinely hidden or produced.

With regard to the use of nuclear weapons by the Peace Force, the solution proposed is that neither component shall normally be equipped with any kind of nuclear weapons, but that some such weapons shall be held in reserve in the custody of a civilian agency for use only under the most careful precautions. This agency would be the Nuclear Energy Authority which would be authorized to release any nuclear weapons for possible use by the Peace Force only by order of the General Assembly itself, and then only if the Assembly has declared that nuclear weapons (which might have been clandestinely hidden or clandestinely produced) have actually been used against some nation or against the United Nations, or that such use is imminently threatened. While it may be argued that nuclear weapons should be part of the regular equipment of a world police force so that it could immediately crush by ruthless action any defiance of the world law, this solution has been rejected as being no more consistent with the purpose of the Peace Force than the regular equipment of a city police force with weapons whereby thousands of citizens could be killed in suppressing a riot.

It is also realized that it can be persuasively argued that nuclear weapons should not be even potentially available to the Peace Force. On balance, however, it is believed wise to make it *possible* for the Peace Force to use nuclear weapons in extreme circumstances provided that, as called for by the above-described proposals, such possible use is safeguarded with the utmost care.

The immediate direction of the Peace Force would be entrusted to a committee of five persons—to be called the Military

Staff Committee—all of whom would have to be nationals of the smaller nations, i.e., of those nations entitled to less than ten Representatives in the General Assembly. Beyond this safeguard, however, the Military Staff Commitee would always be under the close control of civilian authority, i.e., of the Executive Council. Still further, the General Assembly, through its Standing Committee on the Peace Enforcement Agencies would exercise a general supervision over the work of the Military Staff Committee and over the Executive Committee itself in respect of the organization and all the activities of the Peace Force. In short, the plan includes the utmost precautions for the subordination of the military direction of the Peace Force under all circumstances to civilian authority as represented by the Executive Council and the General Assembly.

While a world police force, well-equipped and strong enough to prevent or promptly suppress *any* international violence, is clearly indispensable, the danger that it might be perverted into a tool of world domination is fully recognized. It is with this danger in mind that meticulous care has been taken to surround the proposed Peace Force with the above-mentioned careful limitations and safeguards, so as to make its subversion virtually impossible.

Even with these elaborate safeguards, it is realized that the danger of possible misuse of the Peace Force cannot be *wholly* eliminated any more than every *conceivable* danger of violation of the disarmament process can be eliminated. However, in order to achieve complete national disarmament and genuine peace, *some* risks must be taken. What the authors have attempted is to reduce these risks to the very minimum. On the one hand, they have sought to provide for a world police so strong as to be capable of preserving peace in any forseeable contingency. On the other hand, they propose such careful checks and limitations that there would be every possible assurance that the power of this world police would not be misused.

It will be seen that despite all the proposed safeguards this plan calls for a world police that would be a strong and effective fighting force in case of need. The idea of some people that a world police force somewhat similar as to arms and functions to the United Nations Emergency Forces of the 1950s and 1960s might suffice was considered by the authors as unsound and untenable. Even in a world in which all national military forces were abolished, there would, as above mentioned, necessarily remain internal police forces of substantial strength (including

central police forces of up to 100,000), which would probably need to possess a considerable number of rifles and even some machine guns. In addition, there would remain literally millions of sporting rifles and revolvers in the hands of private persons and thousands of nonmilitary airplanes, large and small. Accordingly, it is conceivable that, even with total disarmament, an aroused nation with a strong grievance could marshal quite a formidable armed force even if no none in it possessed any weapon stronger than a rifle. And while it is true that any such force, even of a million men, could not withstand a well-armed contingent of the world police force of even one-twentieth of its strength, that contingent in order to suppress the aggression promptly and with minimum injury would need to be a genuine fighting force, well-equipped and highly disciplined.

Moreover, there would remain a lurking suspicion for some time at least that despite the most efficient world inspection system some nation or nations have contrived to hide or might produce secretly some forbidden weapons. In these circumstances it seems perfectly clear that in order to provide the necessary assurance to obtain general assent to universal and complete disarmament, it will be essential to provide a world police of such strength and armament as to be able *quickly* and *certainly* to prevent or suppress *any* international violence. The proposal is based on the firm belief that on no cheaper terms can universal and complete disarmament be achieved, and that it is equally clear that without total disarmament, genuine peace is unattainable. A strong and well-armed police force is, therefore, an essential part of the price of peace and the sooner the world faces up to this conclusion the better it will be for all peoples.

(7) *The Judicial and Conciliation System.* In accordance with the conception that the abolition of national armaments is indispensable to genuine peace, and that if such armaments are abolished other means must be simultaneously provided for the adjudication or settlement of international disputes and for "peaceful change," provision is made for a world system of conciliation and adjudication.

In proposing such a system, recognition is given to the existence of two main categories of international disputes, namely: (1) those disputes which are capable of adjudication through the application of legal principles, and (2) the equally or more important category of disputes which cannot be satisfactorily settled on the basis of applicable legal principles.

With respect to those international disputes which are sus-

ceptible of settlement upon legal principles, it is proposed to empower the General Assembly to direct the submission of any such dispute to the International Court of Justice whenever the Assembly finds that its continuance is likely to endanger international peace. In case of such submission, the Court would have compulsory jurisdiction to decide the case, even if one of the parties should refuse to come before the Court.

The International Court of Justice would also be given authority to decide questions relating to the interpretation of the revised Charter, and to decide disputes involving the constitutionality of laws enacted thereunder. Compulsory jurisdiction would also be conferred upon the Court in certain other respects as, for example, any dispute relating to the interpretation of treaties or other international agreements, or to the validity of any such treaty or agreement alleged to conflict with the revised Charter.

In order to strengthen the independence and authority of the International Court of Justice in view of these enlarged powers, it is proposed that the tenure of its fifteen judges shall be for life, instead of for nine-year terms as provided by the present statute of the Court, subject only to the possibility of dismissal if, in the unanimous opinion of his colleagues, a judge is no longer able properly to perform his functions or, as now provided, has in their unanimous opinion "ceased to fulfill the required conditions" of his tenure.

In respect of the enforcement of the judgments of the International Court of Justice, it is proposed that the General Assembly (or in certain special circumstances the Executive Council) could direct economic sanctions or, in the last resort, action by the United Nations Peace Force to ensure compliance. Any such action would, however, by limited, if at all possible, to air or naval demonstrations and would involve actual military operations against a noncomplying nation only if absolutely necessary.

With regard to the other main category of international disputes, i.e., those inevitable disputes which are not of an exclusively legal nature, it is proposed to establish a new tribunal of the highest possible prestige, to be known as the World Equity Tribunal.

In ordinary circumstances this World Equity Tribunal could not make binding decisions, as distinguished from recommendations, except with the consent of the parties. But provision is made that if the General Assembly votes by a large special majority, i.e., by a three-fourths majority of all the Representa-

tives then in office (including three-fourths of all the Representatives from the sixteen largest nations), that the carrying out of the Tribunal's recommendations is essential for the preservation of peace, the recommendations of the Tribunal would become enforceable by the same means as a judgment of the International Court of Justice.

The purpose of this important departure is to supplement other methods for settling *nonlegal* international disputes (such as negotiation, conciliation and agreed arbitration) by providing an impartial world agency of so high a stature that, under exceptional conditions involving a danger to world peace, its recommendations may be given the force of law.

Through the adoption of these proposals in respect of both legal and nonlegal international disputes, world institutions would at last exist whereby *any* nation could be compelled to submit *any* dispute dangerous to peace for a final and peaceful settlement; and the world would no longer be helpless, for lack of adequate machinery, to deal by peaceful means with any and all dangerous disputes between nations.

In order to provide the means for the trial of individuals accused of violating the disarmament provisions of the revised Charter or of other offenses against the Charter or laws enacted by the General Assembly, and to provide safeguards against possible abuse of power by any organ or official of the United Nations, provision is also made for regional United Nations courts, inferior to the International Court of Justice, and for the review by the International Court of decisions of these regional courts.

The proposal is for not less than twenty and not more than forty such regional courts to have jurisdiction in regions to be delineated by the General Assembly, each regional court to be composed of not less than three and not more than nine judges. The judges of these courts would be appointed by the Executive Council from a list of qualified persons prepared by the International Court of Justice, with the provisos that not more than one-third of the judges of any such court could be nationals of the nations included in the region of the court's jurisdiction, and that no two judges of any such court could be nationals of the same nation. Their appointments (which would be subject to confirmation by the General Assembly) would be for life, subject only to dismissal for cause by a vote of two-thirds of all the judges of the International Court.

The regional United Nations courts, together with the Inter-

national Court of Justice, would introduce a regime of genuine and enforceable world law in respect of all *legal* questions likely to endanger world peace, while the World Equity Tribunal would, as above mentioned, provide means for the authoritative and compulsory settlement of nonlegal situations seriously dangerous to peace.

In addition to these judicial agencies, it is proposed to establish a World Conciliation Board which could be voluntarily availed of by the nations, or to which the General Assembly could refer any international dispute or situation likely to threaten peace. The functions of this new Board would be strictly confined to mediation and conciliation; and, if it failed to bring the disputing nations to a voluntary settlement, resort could be had to the International Court of Justice or the World Equity Tribunal, as might be most suitable in view of the nature of the issues involved.

In order to achieve genuine peace we must have more than total and universal disarmament and more than an effective world police. We must also have world tribunals to which the nations can resort with confidence for the adjustment or settlement of their disputes and which, subject to careful safeguards, will have clearly defined authority to deal with any dispute which is dangerous to peace even if a nation does not wish to submit to the jurisdiction of the appropriate tribunal.

(8) *Enforcement and Penalties.* The plan envisages a variety of enforcement measures, including the prosecution in United Nations regional courts of individuals responsible for a violation of the disarmament provisions.

In order to aid the Inspection Service in the detection and prosecution of any such violators, it is proposed to have a civil police force of the United Nations with a strength not exceeding 10,000. This force would be under the general direction of an Attorney-General of the United Nations, to be appointed by the Executive Council subject to confirmation by the General Assembly. The Attorney-General, besides having supervision over the civil police force, would be responsible for making arrangements with national authorities for assistance in the apprehension of persons accused of offenses against the revised Charter and the laws and regulations enacted thereunder and for the detention of such persons pending trial. Provision would also be made for Assistant Attorneys-General of the United Nations who would be assigned to each regional court.

In case of a serious violation of the revised Charter or any law

or regulation enacted thereunder for which a national government is found to be directly or indirectly responsible, the General Assembly could order economic sanctions against the nation concerned. In extreme cases the Assembly (or the Executive Council in an emergency and subject to immediate review by the Assembly) would also have authority to order the United Nations Peace Force into action.

(9) *World Development.* The plan further provides for the establishment of a World Development Authority, whose function would be to assist in the economic and social development of the underdeveloped areas of the world, primarily through grants-in-aid and interest-free loans. This Authority would be under the direction of a World Development Commission of five members to be chosen with due regard to geographical distribution by the Economic and Social Council, subject to confirmation by the General Assembly.

The World Development Commission would be under the general supervision of the Economic and Social Council which would have power to define broad objectives and priorities. Since that Council would be composed of twenty-four Representatives of whom twelve would come from the member Nations having the highest gross national products and twelve from among the Representatives of the other member Nations selected with due regard to geographical distribution, there would thus be reasonable assurance that account would be taken both of the views of those nations contributing large shares of United Nations revenue, and also of the nations most in need of the Authority's assistance.

This proposed World Development Authority could, if the General Assembly so decided, have very large sums at its disposal, since the Authority's funds would be allocated to it by the Assembly out of the general revenues of the United Nations. With the large resources which the Assembly could and should provide, the World Development Authority would have the means to aid the underdeveloped areas of the world to the extent necessary to remove the danger to world stability and peace caused by the immense economic disparity between those areas and the industrialized regions of the world.

While universal, enforceable and complete disarmament, together with adequate institutions and methods for the peaceful settlement of disputes, are certainly indispensable, no solid and stable peace can be assured by these means alone. There is also required a more positive approach through the amelioration of

the worst economic ills of mankind. To this end, the new World Development Authority, together with the Nuclear Energy Authority, would serve as important arms of the strengthened United Nations.

(10) *United Nations Ocean Authority.* Latest technological developments have made possible access to the mineral resources of those two-thirds of the earth's surface which are covered by seas and oceans and have created the danger of destroying by overfishing the living resources of the sea. Since 1967, the concept of the "common heritage of mankind" has been revived and applied to the mineral resources of the deep seabed, and to some extent to the living resources of the sea.

To safeguard the common heritage and the freedoms which it embraces, it is necessary to establish a strong international authority, with sufficient powers to prevent encroachments by nations and their citizens and to ensure that the exploitation of the resources of the sea and the seabed will be carried out for the benefit of mankind as a whole.

It is proposed, therefore, that a United Nations Ocean Authority be established, with a structure similar to that of the Outer Space Authority. In addition to an overall coordinating Ocean Council, with a composition analogous to the proposed Economic and Social Council (with twelve members from nations having the largest gross national products and twelve members elected with due regard to geographical distribution), there would be separate commissions of five persons for each of the major subdivisions; seabed, living resources of the sea, safeguarding the freedom of navigation, protection of marine environment and promotion of scientific research.

The jurisdiction of these commissions would be plenary over the central part of the oceans and the seabed, and would be shared with coastal nations in the area between 12 and 200 miles from the coast.

(11) *United Nations Environment Protection Authority.* The United Nations Conference on the Human Environment, held at Stockholm in June 1972, made abundantly clear not only the growing dangers to the human environment but also the need for adequate institutional arrangements.

It would seem appropriate, therefore, to establish, as an important part of the strengthened United Nations, a United Nations Environment Protection Authority, with an intergovernmental Council with a balanced representation of the developed and the developing nations, and a five-member Envi-

ronment Commission, similar to those suggested above for other fields.

The main responsibilities of the Environment Commission will be: to coordinate national and international environment programs; to provide the necessary monitoring, data-collecting and assessment services; and to assist national environmental institutions.

(12) *United Nations Revenue System.* It would obviously be futile to establish the proposed new world institutions called for by the plan (including the United Nations Peace Force, the Inspection Service, the World Development Authority, the Nuclear Energy Authority, the Outer Space Authority, the Ocean Authority, the Environment Protection Authority, the World Equity Tribunal and the World Conciliation Board) unless a well-planned system is provided for their sufficient and reliable financial support. Such a system should also, of course, provide adequate support for the already existing organs and agencies of the United Nations which would be continued and, in some cases, would have enlarged functions and responsibilities. These include the revised General Assembly itself, the strengthened International Court of Justice, the Economic and Social Council, the Trusteeship Council, the Secretariat and the various specialized agencies already affiliated with the United Nations.

The United Nations Peace Force, with an assumed strength for its standing component of, say, 300,000 (midway between the proposed constitutional maximum of 400,000 and minimum of 200,000) and with an assumed strength for the Peace Force Reserve of, say, 450,000 (midway between the proposed constitutional maximum of 600,000 and minimum of 300,000) would alone require some $12 billion annually. The minimum annual amount required for the General Assembly and Executive Council, the judicial system, the Secretariat, the Inspection Service, and the various Authorities, organs and agencies other than the World Development Authority may be estimated at $3 billion. To this should be added a large amount on the order of $80 billion which should be annually appropriated by the General Assembly for the proposed World Development Authority in order to make a real impression on the vast problem of mitigating the worst economic disparities between nations and regions.

Upon first impression, this assumed $80 billion figure for world development may appear high, but is in fact moderate if the purpose is to accomplish a substantial change in the living

conditions of the more economically underdeveloped areas of the world. This is so because before the machinery for supplying any such amount can become operative, there will probably be an increase in world population to more than 5 billion, by which time the number of people living in poverty relative to the standards of the industrialized nations will certainly be not less than 4 billion. Accordingly, the annual expenditure of $80 billion to improve the condition of these people would represent only about $20 per capita which is little enough to accomplish any substantial improvement in their living standards.

It is apparent, therefore, that the reasonable expenses of a world authority adequately equipped to deter or suppress any international violence, to administer a comprehensive system for the peaceful settlement of all disputes between nations and *also* to do something substantial for the economic betterment of the underdeveloped parts of the world, could easily run to $95 billion per annum. And while this amount would be only about 15 per cent of the 1980 budget of a single nation—the United States —and would be less than one-fifth of the world military expenditures (more than $500 billion in 1980), it would, nevertheless, be so large a sum that reliance for supplying it should not be placed on a system of yearly contributions by the separate governments of more than one hundred sixty nations. Apart from a World Development Authority, the maintenance of a high level of efficiency and morale by the proposed Inspection Service, the Peace Force and the new Authorities would be of crucial importance; and it would indeed be folly to set up these and other vital organs without reliable machinery for supplying the necessary funds. To this end, a carefully devised *collaborative* revenue system is proposed.

A chief feature of this system would be that each member Nation would assign in advance to the United Nations all or part of certain taxes (for example, income taxes or liquor, tobacco and gasoline taxes), which would be designated by it and assessed under its national laws. Each nation would undertake the entire administrative function of collecting the taxes thus assigned to the United Nations, these taxes to be paid directly to a fiscal office of the United Nations in each member Nation. In this way it would be unnecessary to create any considerable United Nations bureaucracy for this purpose.

Another important feature would be an *over-all limit* on the maximum amount of revenue to be raised in any year, namely, three per cent of the gross world product (total value of all goods

produced and services rendered) as estimated from year to year by the above-mentioned Standing Committee on Budget and Finance of the General Assembly.

The General Assembly would adopt the annual United Nations budget covering all its activities, and would determine the amounts to be supplied by the taxpayers of each member Nation for that budget. These amounts would be allotted on the basis of each member Nation's estimated proportion of the estimated gross world product in that year subject to a uniform "per capita deduction" of not less than 50 and not more than 90 percent of the estimated average per capita product of the ten member Nations having the lowest per capita national products, as determined by the Assembly. A further provision would limit the amount to be supplied by the people of any member Nation in any one year to a sum not exceeding four per cent of that nation's estimated national product.

(13) *Privileges and Immunities.* Annex VI of the revised Charter and Chapter IX of the Draft Treaty relate to the privileges and immunities of the United Nations itself and of the greatly expanded personnel (including the United Nations Peace Force) which, under the revised Charter, would be in the service of the United Nations.

For the successful operation of an effective world organization to maintain peace, a body of genuinely international servants of high morale is clearly essential. To this end, it seems advisable to provide constitutionally and in some detail not only as to the privileges and immunities of the United Nations as an organization, but also as to the rights and privileges of all United Nations personnel and the limitations thereon. The Charter (or Draft Treaty) would also contain safeguards against the abuse of these privileges and immunities, and against unnecessary impediments to national or local law enforcement.

(14) *Limitations and Guarantees.* As a protection against unwarranted expansion of the powers of the strengthened United Nations, its carefully limited authority would be defined with great precision. However, as an additional safeguard, the proposals contain explicit prohibitions against the usurpation by the United Nations of any additional powers, and also specific guarantees against violation by the United Nations of certain individual rights which are or ought to be universally recognized as fundamental to human dignity and security. These rights would include the right to fair trial; the privileges against double jeopardy, *ex post facto* laws, excessive bail, cruel and unusual

punishment, unlawful detention, and unreasonable searches and seizures; and freedom of religion, communication, assembly and petition.

(15) *Ratification.* The proposed requirements for ratification of the revised Charter (or of the Draft Treaty) are: (a) that ratification shall be by five-sixths of the world's nations, including all the four nations with the largest populations and at least seven of the twelve next largest nations, the aggregate of the populations of the ratifying nations to equal at least five-sixths of the total world population; and (b) that each nation's ratification shall be by its own constitutional processes.

At first glance, the requirement that so very large a preponderance of the nations and people of the world shall be necessary for ratification may appear excessively difficult. But it must be remembered that it would be impossible to accomplish the main purposes of the whole plan, namely, total disarmament and the establishment of an effective system of world law, unless there is a preponderant acceptance throughout the world of the constitutional document which would provide for the necessary world institutions. In practice, this means that at least eleven principal Powers—especially the Soviet Union, the United States and the People's Republic of China—would first need to agree. But once these Powers (containing together a large majority of the world's people) had reached agreement on the essentials of a revised Charter, there can be no doubt that virtually all the other nations would, as a practical matter, give their assent. Thus the obviously desirable object of obtaining the unanimous or nearly unanimous assent of all the nations appears also to be a practical one—once the indispensable assent of the leading Powers has been obtained.

(16) *Amendment.* The proposed requirements concerning the procedure for amendment to the revised Charter (or to the Draft Treaty) are almost as strict as those provided for its ratification. Any future amendments would be submitted for ratification when adopted by a vote of two-thirds of all the Representatives in the General Assembly, whether or not present or voting, or by a two-thirds vote of a General Conference held for that purpose. In order for an amendment to come into effect, ratification by four-fifths of the member Nations would be required, including twelve of the sixteen member Nations entitled to ten or more Representatives in the Assembly.

It would be noted that while the proposed provisions for ratification of the revised charter would require that the ratifying

nations should include *all* the four nations having the largest populations, and at least seven of the twelve next largest nations, the provisions relating to the ratification of amendments would require the assent of any twelve of the sixteen nations.

The reason for this difference is that in order to ensure the necessary overwhelming support for the revised Charter in its initial stage, it is considered essential to have the prior assent of literally all the world's largest nations. On the other hand, in the case of future amendments after the strengthened United Nations is functioning under the revised Charter, it seems sufficient to require the assent of no more than a preponderant majority of those nations.

(17) *Continued Organs and Agencies.* It should be emphasized that far from impairing the existing organs and agencies of the United Nations, which despite all obstacles have accomplished important results, the intention is not only to preserve but also to strengthen them. Thus the General Assembly would have much greater scope through having the final responsibility for the maintenance of peace, through the new system of representation and voting, through the new revenue system, and through the new, although limited, power to legislate.

The Security Council would, indeed, be abolished, but it would be replaced by the veto-less Executive Council, chosen by and responsible to the General Assembly. The Economic and Social Council and the Trusteeship Council would be continued, with important changes as to their composition and functions, and with much stronger financial support under the new revenue system. The International Court of Justice would be continued with greatly enlarged jurisdiction and greater authority. And as to various other organs, and such agencies as the Food and Agricultural Organization (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labor Organization (ILO) and the World Health Organization (WHO), the revision would not only provide for their continuance but would also give opportunity for the enlargement of their activities and usefulness.

The intention is not to dispense with anything which has proved useful, but rather to revise, supplement and strengthen the existing structure so that the United Nations will be fully and unquestionably equipped to accomplish its basic purpose—the maintenance of international peace.

Relationship Between the United Nations and the World Disarmament and Development Organization

Should it prove more feasible to establish the World Disarmament and Development Organization rather than to strengthen the United Nations directly through a revision of the Charter, it will be necessary to make clear the relationship between the United Nations and the new Organization.

As set forth in the Preamble of the Draft Treaty, its basic purpose would be "to supplement the machinery of the United Nations now available to maintain international peace and security and to promote the economic and social advancement of all peoples." And it is to accomplish this purpose that the Draft Treaty provides for the establishment of the World Disarmament and World Development Organization "within the framework of the United Nations."

In order that the two organizations shall function in maximum harmony for the accomplishment of their joint purposes to maintain peace and to promote the economic and social advancement of all the peoples of the world, the Draft Treaty contains the following provisions:

(1) All the organs and agencies of the new Organization shall consult with the organs and agencies of the United Nations on all matters of mutual interest or concern.

(2) Annual and special reports shall be made to the United Nations as to the activities of the Organization.

(3) Persons duly authorized by the General Asssembly of the United Nations shall have the right to take part, but without vote, in the deliberations of the General Conference of the Organization; and persons duly authorized by the Security Council and the Economic and Social Council of the United Nations shall correspondingly have the right to participate, but without vote, in the deliberations of the Executive Council and the World Development Authority.

(4) The General Assembly and other principal organs of the United Nations may make any recommendations which they desire to the Organization, the appropriate organs of which would be obligated to give due consideration thereto.

(5) In the all-important matter of sanctions to maintain peace, careful provisions are proposed whereby the initiative for such sanctions could be taken either by the United Nations through its General Assembly or Security Council, or by the General Conference of the Organization. If the Security Council has decided

under Chapter VII of the United Nations Charter that sanctions are necessary or the General Assembly by a large special majority has recommended sanctions, the Organization would be bound to "support the United Nations in such measures to the extent and in such manner as the General Conference of the Organization shall determine." On the other hand, the General Conference of the Organization could direct sanctions, subject only to the revocation or modification thereof by a large special majority of the General Assembly or by the vote of the Security Council concurred in by all its permanent members. These provisions are intended to ensure that sanctions, when clearly needed to maintain peace, shall be effective and not subject to frustration by the veto of any single nation, while also giving assurance that no sanctions shall be applied unnecessarily or with undue harshness.

Apart from the above specific provisions designed to harmonize and coordinate the work of the two organizations, the interrelationship would be symbolized by attaching the name of the United Nations to various of the most important organs and agencies of the new Organization. This would be done by calling the world police force the "United Nations Peace Force" and by using the names "United Nations Disarmament Authority," "United Nations Inspection Service," "United Nations Nuclear Energy Authority," "United Nations Outer Space Authority," "United Nations Ocean Authority," "United Nations Environment Protection Authority," "United Nations regional courts," and so forth, for certain organs and agencies of the Organization.

The United Nations would remain as a great world forum in which all questions affecting the peace of the world and the economic and social welfare of its people could be constantly reviewed, with each and every member nation having an equal right to be heard and an equal vote, irrespective of population, wealth or other factor. On the other hand, the World Disarmament and World Development Organization, in close affiliation and cooperation with the United Nations, would have the financial, judicial and military powers which the United Nations now lacks to fulfill its declared purposes.

The alternative draft accepts the sad fact that the United Nations was not given by the framers of its Charter adequate powers to fulfill the main purpose for which it was organized, namely, the prevention of war.

The United Nations lacks a standing world police force; it lacks a judicial system with compulsory jurisdiction over interna-

tional disputes; it lacks a reliable revenue system; and in several other respects it is not adequately equipped to fulfill its fundamental purpose.

Nevertheless, the United Nations has often rendered very useful services, and is also an important symbol of the world's aspirations for genuine peace. Accordingly, there must be no question of abolishing the United Nations, but only of how best to supplement its existing machinery so that its basic purpose—the maintenance of peace—can be effectively fulfilled.

Such is the purpose of the Draft Treaty for the establishment of the World Disarmament and World Development Organization which, working with the United Nations, would supply the indispensable elements which are now lacking. If the world really wants general and complete disarmament and genuine peace, it must face the fact that the present machinery of the United Nations must be radically reinforced. To accomplish this, there are two alternative methods: (1) a drastic and detailed revision of the U. N. Charter itself; and (2) the method embodied in this proposed Treaty, whereby the machinery of the United Nations would be effectively *supplemented* by the new Organization.

For purposes of discussion, an illustrative model of a revised United Nations Charter was set forth in detail in the authors' book, *World Peace through World Law.* With the same purpose, the Draft Treaty was prepared by them as illustrative of the second alternative method and in the hope that it will promote constructive discussion of the paramount problem of our time. Its full text appears in th "third enlarged edition" of *World Peace through World Law* (1966).

The Practical Prospects*

What are the practical prospects for the realization of genuine peace, through universal and complete disarmament and enforceable world law, not in some indefinite future but by, say, 1995?

The question is crucial because the achievement of genuine peace will largely depend upon the persistent efforts of many people and, unfortunately, only a small fraction of the human race seems capable of working persistently for a purpose, however desirable, that appears distant and uncertain. On the other hand, if convinced that the goal is attainable within a reasonably

* This section has been revised only slightly, to retain Mr. Clark's original thoughts. The expenditures on arms have greatly increased since the 1960s.

short time, they will work for it in greater numbers and with greater zeal, and by this very fact make it the more realizable.

The authors have taken a hopeful view on this question and have dared to venture a reasoned prediction as follows: (a) that by 1985 a comprehensive plan for total and universal disarmament and for the necessary world institutions to make, interpret and enforce world law in the field of war prevention will have been officially formulated and will have been submitted to all the nations for approval; and (b) that within some five years thereafter such a plan will have been ratified by all or nearly all the nations, including all the major Powers, and will have come into force.

If these things come to pass, it follows that by 1995 the process of universal and complete disarmament will be well on its way, that the new world security organization (whether in the form of a revised and greatly strengthened United Nations or an entirely new world organization) will be in actual operation and that a new era in world history will have begun.

It might be useful to summarize the main reasons for this prediction, mentioning first the principal forces working *against* total disarmament and genuine peace.

The most important single factor seems to be the reluctance of the average person to make any drastic change in his traditional form of behavior. As experience shows, he will, of course, try hard to save himself from destruction when he is not only in actual and imminent danger but also comprehends that danger. Short of these circumstances, however, his tendency is to procrastinate and hold to his old ways, often until it is too late.

This deep-seated trait of human nature is very evident at the beginning of the 1980s as a grave obstacle to genuine peace. This is so because nothing is more certain than that under the conditions of our nuclear age the realization of genuine peace will require a truly revolutionary change in human thinking and behavior—a change so drastic that human nature almost automatically resists it, no matter how clear the necessity may appear. As the historian, Arnold Toynbee, has put it, "We shall have a hard struggle with ourselves to save ourselves from ourselves."

For many centuries, the units into which mankind has combined—family, tribe, town, city, national state—has been accustomed to assert or defend their interests, real or supposed, by violence or the threat of it—culminating during our "advanced" twentieth century in the two greatest wars in history and in the

maintenance of the most elaborate and destructive armed forces that the world has ever possessed. And yet, no matter how obvious it may be that, in order to achieve genuine peace, these forces must be abolished, along with the whole ancient method of international violence, it is foolish to ignore the strongly adverse influence of these habits and traditions and of certain special influences and vested interests created by them.

Of these special influences and interests, by far the most formidable appears to be that of the military profession which, in many nations, has sufficient influence to force their governments to resist rather than to aid the cause of total disarmament and the establishment of the world institutions that are essential to the settlement of all international disputes by peaceful means. Unfortunate as it may be, it is necessary to accept the fact that there is throughout most of the world what has been aptly called a "vested interest in armament" on the part of the military profession, which is a constant and powerful influence adverse to the new conceptions which can alone suffice to achieve genuine peace.

In appraising the weight of this pervading military influence, it is necessary to recognize its good faith in most cases. The typical professional soldier, sailor, airman or missileman does not deprecate or oppose disarmament because he is any less humane of less civilized than the average civilian. He does so because his training and environment have irrevocably conditioned him to assume that his profession is indispensable. In consequence, it is simply too much to expect that the military profession as a whole will do otherwise than oppose or at least "drag their feet" in respect of all proposals for total disarmament and all that this implies. It follows that there will be no solution for the problem of world peace until the "vested interest in armament" of the military profession everywhere is firmly overruled.

A less important yet significant adverse "vested interest" is that of traditional diplomacy. It must be remembered that for centuries a principal occupation of the professional diplomat has been to deal in "power politics," that is to say, in the making of alliances or in seeking to undermine counter-alliances or in veiled or open threats of force as a means of advancing the real or supposed interests of his particular country. These habits of thought are almost as difficult to shake off as those of the professional military man; and, consequently, those who seek peace through total disarmament and enforceable world law will do well to discount the almost certain resistance of the "professionals"

in many foreign offices in all parts of the world.

Another "vested interest" sometimes mentioned as an important obstacle to disarmament and peace is the presumed interest of many millions of armament workers in a continuance of their jobs and the corresponding interest of proprietors in their profits from armament contracts. But while the problem of readjustment to non-armament work is certainly one that will call for attention and planning, this should not be regarded as a serious difficulty. What is often overlooked is that the process of disarmament would necessarily be a gradual one. At the outset there would almost surely be an interval of several years between the formulation of a comprehensive disarmament agreement and its coming into force through ratification by the respective nations, and this interval would serve as a warning period in which to plan for and partially carry out the shift of workers and materials to non-military purposes. There would then undoubtedly follow a considerably longer period (five years as proposed in this book) for the carrying out, stage by stage, of the process of actual disarmament, during which the conversion of the armament plants would be completed. Remembering also the immense tax burden which would be lessened year by year and the release of manpower and materials for such purposes as roads, hospitals, schools, urban renewal and other pressing needs even in the most prosperous nations, it seems clear that this particular obstacle to disarmament and peace would prove to be a minor one.

Far more serious is the factor of mutual fears and recriminations which for more than twenty years have so poisoned the East-West atmosphere as to bring under suspicion in the West almost any proposal coming from the East and correspondingly in the East almost any proposal proceeding from the West. This state of affairs is unfortunately deeply rooted on both sides. It has been built up over a long period and "conditions" the thinking of millions of people—East and West—who on other subjects are capable of unbiased judgment. There is little use in seeking to assess the blame which both sides must share, and we must accept this mutually poisoned atmosphere as a fact of life which cannot be gotten rid of for a long time. This mutual fear and suspicion is indeed a most formidable barrier to peace and we should recognize that success in the accomplishment of total disarmament and the establishment of enforceable world law will be achieved not because this barrier will soon disappear but because it will be pushed aside under the pressure of necessity.

Apart from the just-mentioned deeply rooted obstacles, there are several others which are only less important because they are likely to be more transitory. These include the increasing conflict between the developed North and the developing South, a lack of sufficient understanding as to the necessity for complete, rather than partial, disarmament and a similar lack of understanding of the necessity for a comprehensive and interrelated plan rather than a piecemeal approach.

Taking together all the adverse factors—especially the strong tendency to resist any drastic change, the certain opposition of the military profession and of traditional diplomacy and the mutual fears and suspicions between East and West as well as North and South—we have a truly formidable group of obstacles. What are the *favorable* factors which are capable of offsetting or overcoming them?

Of these favorable factors the most important single one seems very clearly to be the steadily increasing risk of world catastrophe resulting from a continuance of the arms race and a continuing lack of effective world machinery to settle international disputes by peaceful means.

In specifying the increasing risk of world disaster, it is realized that the likelihood of all-out nuclear war has to some extent diminished during the 1960s and 1970s, because of a greater mutual understanding of its destructive consequences, and the conclusion of several agreements on arms control. But more than offsetting this factor are the rapidly mounting potentialities of destruction if a large-scale nuclear war should, nevertheless, occur. For while it may be true that the chances of an all-out nuclear war may not increase during the 1980s, it is a certainty that the potential damage from such a war, if it should occur, will steadily increase from year to year. It follows that, taking the two factors together, the real risk will, in the absence of universal and complete disarmament under effective world law, be a steadily mounting one. A greater comprehension of this fact will be, it is hoped, the major influence in bringing about the formulation and acceptance of an agreement for total disarmament under enforceable world law.

Concerning this increase in the destructiveness of modern weapons, the most obvious development is the constantly increasing efficiency and accuracy of the so-called "means of delivery" of nuclear weapons. From year to year there has been "progress" in compressing more and more explosive power into less and less volume and weight, resulting in startling increases in

the range and accuracy of the ballistic missiles designed to "deliver" nuclear warheads.

While treaties on banning some tests of nuclear weapons and on non-proliferation of such weapons have been concluded, the major powers continue testing these weapons, and with the growth of peaceful uses of nuclear energy supplies of nuclear materials, which could be used for weapons, are constantly increasing in many countries. Several of these countries have the capacity to produce nuclear weapons should they find it necessary in order to protect their security or to compete with their neighbors. They have restrained their military for the moment, but might change their attitude at any time.

Such facts as these are only beginning, it seems, to penetrate the general masses of the people in all nations; but is seems certain that their comprehension of the danger will increase from year to year with a corresponding increase of pressure on their governments. Their dominating motive will not, I judge, be fear in the ordinary sense but rather a growing exasperation over the rigidity and traditionalism which prevent the formulation of adequate plans to remove so obvious a man-made risk. Whatever the motive, however, it is impossible to believe that the peoples of the world will be so apathetic and helpless that they will fail to apply a steadily increasing pressure on their governments to take the long-overdue action which is necessary to remove the growing danger.

Next in importance to the risk of appalling disaster from the increasing destructiveness of modern weapons and the increasing popular pressure on the governments to remove this risk is, I believe, an increasing impatience with the vast economic waste and burden of the arms race. In terms of money this burden as of 1970 amounted to more than $200 billion per annum, while in terms of human energy it meant the full-time employment in the armed forces of more than 20 million men and of not less than 40 million civilians in the manufacture of arms and other military activities—or a total of at least 60 million persons.

In the United States the resulting cost of about $80 billion per annum in 1970 absorbed almost half of the total Federal budget and about nine per cent of the gross national product, while in the Soviet Union the proportion of the national product devoted to military purposes was even higher. In many other nations the cost, although proportionately smaller, is nevertheless a heavy drain on their economies which prevents or handicaps the carrying out of many badly needed improvements. Even in so affluent

a country as the United States, the vast military expenditure holds back such urgent needs as the improvement of education and of medical care for lower-income people, urban renewal and the conservation of natural resources; and in nations less economically fortunate, like India, the adverse effects of military expenditure are naturally much greater. As the years have passed, there has been a growing consciousness that the existence of these burdens is incompatible with economic and social reforms urgently demanded by the peoples of many nations. In the 1970s, this consciousness will almost certainly become a more powerful force in favor of total disarmament.

Another helpful development should be a clearer realization from year to year that it is impossible to arrive at any important political settlements in the absence of an agreement for comprehensive disarmament. There has been much ill-considered talk to the effect that the settlement of various difficult political problems—such as the problem of Berlin and German reunification, the problem of European security, and the situations in Korea, Southeast Asia and the Middle East—must precede, or at least be simultaneous with, any comprehensive disarmament. The common sense of the matter is, however, that in an armed world it is most improbable that any of these difficult East-West issues can be settled—for the simple reason that it is virtually impossible to settle any hard controversy between opponents of equal strength and pride when the opposing parties are armed to the teeth and, therefore, bitterly suspicious of each other. All experience shows that before such opponents can settle any important issue, they must first agree to dispense with violence and cease their mutual threats and insults.

It has taken a long time to grasp this simple truth as applied to the crucial disputes between East and West; but in the 1970s it will become more and more apparent to most reasonable men and women that an agreement for universal and complete disarmament must be reached before these thorny East-West issues can be resolved.

Still another encouraging sign is the increasing knowledge of the ways and means whereby genuine peace can be achieved. The persistent and rising desire since the end of World War II for the abolition of war has unfortunately been accompanied by considerable defeatism as to the feasibility of accomplishing this result. This defeatism has, however, been largely caused by an exaggerated view of the difficulty of the problem which has been due in turn to a lack of sufficient study and discussion of the

concrete problems that are involved, i.e., the various interrelated questions as to the nature and form of the world institutions requisite for world order. At the start of the 1980s we can discern a marked change in this respect, in that a beginning has at last been made in a closer study of the specific problems—not only by private persons but also by public officials. There is a definite relationship betweeen the development of this study and progress toward the desired goal. This is true because the problems involved are by no means insoluble, and as more and more people begin to apprehend how these problems can be dealt with, the spirit of defeatism will naturally lessen and the better will be the prospect for the acceptance of an adequate plan for peace.

An important result of the more intense study just mentioned will inevitably be a more general understanding that total, rather than partial, disarmament, combined with an effective United Nations Peace Force, will alone meet the situation. For this proposition there are three reasons: (a) because experience has shown that it is virtually impossible to agree upon any plan of any consequence for merely partial disarmament, since one nation or another is almost certain to claim, and with some justification, that the particular proposed reduction would put it at a disadvantage; (b) because even if agreed upon any merely partial disarmament would not fulfill the purpose, since in the nuclear age the retention of even a small fraction of the armed forces of the 1980s would be enough to keep in existence many pernicious fears and tensions between the nations; and (c) because, although an effective world police force is clearly indispensable as a condition for disarmament, there is a distinct practical limit upon the size and expense of such a force, so that even if as much as ten percent of the national armed forces of 1980 were retained, it would be impossible to maintain a world police of sufficient strength to ensure its capacity to deter or suppress any possible international violence. As the disarmament negotiations of the 1980s develop beyond limited arms control agreements, it can safely be predicted that the validity of these reasons will be more and more recognized. And when it is generally accepted that total, rather than partial, disarmament is no less necessary than an effective inspection system, a long step forward will have been taken.

Along with a clearer understanding that nothing less than the abolition of all national armaments will suffice, there is badly needed a clearer realization of the necessity for a comprehensive rather than a piecemeal or partial plan. No intelligent person sets

out to build an adequate house without a plan providing for all the elements necessary to make the structure fulfill its purpose. He knows from the start that foundation, sidewalls, floors and roof must all be provided and that they must be so fitted together that, with each performing its necessary function, the house will stand. It is deplorable, therefore, that even in the early 1980s only a small minority seems to realize that the necessity for a complete initial plan applies also to the structure of peace; and that, if the structure is to stand, all the basic organs necessary for the maintenance of peace must be included in that plan. A more general realization of this truth will almost certainly come in the 1980s and will be a powerful force for world order.

One must note also that in the early 1980s we have suddenly realized the dangers to the human environment resulting from the rapid growth of industry and other human activities contributing to the pollution, deterioration and poisoning of the air, land and water. Only through a coordinated global effort can this process be stopped and reversed. Similarly, the race to exploit the oceans and the seabed can lead to new disastrous conflicts unless this "common heritage of mankind" is put under United Nations management and supervision.

When the various adverse factors are put in one scale and the various favorable factors in another scale and weighed against each other, it can be hoped that the favorable factors clearly will outweigh the adverse, and that we can reasonably look forward to a new world based upon universal and complete disarmament and enforceable world law within some such period as fifteen years.

Against any such optimistic view, it may be objected that it takes too little account of the factor of leadership. It may well be said: "Granted that the destructive power of modern weapons will constantly increase; granted that concern over the risks and the ultimate result will also increase; granted that there will be a wider understanding of the necessity for total, rather than partial, disarmament and of the ways and means whereby complete disarmament under enforceable world law can be achieved; granted that the popular pressure for a termination of the arms race will intensify; where is the requisite leadership to come from for the formulation and acceptance of the necessarily novel and elaborate plan?"

It must indeed be recognized that, even in spite of a strong and world-wide demand for a cessation of the arms race, nothing

effective can be done in the absence of vigorous and persistent leadership for a specific and adequate plan. We can expect, however, that effective leadership will develop; although it will probably need to come, it seems, from sources other than either the Soviet Union or the United States.

In the case of the Soviet Union, there is indeed every reason to suppose that it will continue to press from time to time for the "general and complete" disarmament first proposed by the Soviet Government in 1959. The difficulty is, however, that because of the intense suspicion with which almost any Soviet proposal is regarded in some quarters the leadership of the Soviet Union would be under such a constant handicap that the acceptance of Soviet leadership is unlikely.

With regard to the United States, a similar handicap will operate in view of the reciprocal suspicion with with almost any American proposal is regarded in some parts of the world. And beyond this, it is unfortunate, but true, that in the early 1980s the United States cannot be expected to provide wholehearted leadership on behalf of total disarmament, as distinguished from acquiescence and ultimate support. While the United States presented a forward-looking Draft Treaty on General and Complete Disarmament in a Peaceful World in 1962, the United States Government soon abandoned that approach. For this there are several basic reasons, which include the relative geographical remoteness of the United States even in the nuclear age, and above all its relative lack of suffering from modern war in comparison with the Soviet Union, France, Britain and several other nations of Western Europe.

For these reasons it seems desirable that the necessary leadership proceed from the United Kingdom and Western Europe, however much in later stages it may be supplemented by support from other nations. It seems virtually certain that with its large population in a small area the destructive effect of nuclear war on the United Kingdom and Western Europe would be truly appalling; and since this fact is now becoming generally appreciated, there is every reason to suppose that sooner or later the European Governments will feel obligated to persist in the effort for complete disarmament on the lines initiated in the 1959-62 period. The enlarged Common Market might provide a proper framework for such an initiative.

It may also be hoped that a world-wide group of large, medium and small nations, which might be led by the nations which have been actively participating in various disarmament confer-

ences (such as Argentina, Australia, Belgium, Brazil, Canada, Colombia, Egypt, India, Indonesia, Italy, Japan, Mexico, Morocco, the Netherlands, Nigeria, Pakistan, the Philippines, Romania, Sri Lanka, Sweden, Venezuela and Yugoslavia), can be formed to prepare imaginative and far-reaching proposals, which the major powers might find it possible to accept.

In one or the other of these ways, or by a combination of them, it may be hoped that the necessary leadership will be forthcoming. The role of the Soviet Union, the United States and the People's Republic of China would then be not to lead the way, but to refrain from obstruction and to do their part in the formulation and implementation of a great and sufficient plan.

What the whole question comes down to in the last analysis is whether the human race will show enough intelligence to enable it to make the requisite adjustment to the nuclear age. In the 1980s the issue as to the future of mankind is whether the human race is sufficiently resourceful to formulate and accept world institutions which will once and for all abolish war and utilize the great new discoveries of science for peaceful uses alone. This issue will, however, depend not upon any inherent lack of intelligence but upon whether sufficient effort is made to make effective use of our present fund of intelligence. If the peoples are so apathetic as to permit the domination of military and old-style diplomatic thinking, they can expect nothing better than an indefinite continuance of the arms race and ultimate disaster. On the other hand, if the peoples make an even reasonable effort to comprehend the danger and the available means to remove it, it lies within their power to solve the problem and to institute an age of genuine peace under world law.

As already stated, the purpose of this book is to provide material for the extensive discussions which will be required before truly effective world institutions for the maintenance of peace are accepted by the peoples of the world.

It is true that the authors have attempted to present a complete plan whereby genuine peace, in a disarmed world, would actually be secured. It is true also that they have confidence in their work which is the result of many years of study and of searching criticism by hundreds of qualified persons in many nations. Nevertheless, it would indeed be presumptuous to assert that they have found the final answers to the various thorny problems. They have always hoped that better, or at least more acceptable, solutions will be hammered out in the process of

debate. They proceeded, however, on the assumption that these detailed and specific proposals will serve to encourage others to discuss the many and difficult questions that are involved.

The need is not for more generalities in recognition of the necessity for world law. There are already enough of these. Rather, the need is for alternative detailed plans to furnish a basis for discussion; and the authors' purpose has been to supply such plans. If by so doing their book has brought even slightly nearer the day when enforceable world law actually prevails between all nations it will have fulfilled its purpose.

For modern man the prevention of war is not only the most important of problems; it is also one of the most difficult. During our work we have often thought of Professor Einstein's remark on this point. When asked why it is that when the mind of man has reached so far as to solve the secrets of the atom it has not been able to devise means to protect mankind from destruction by the new discoveries, he replied: "The answer is simple. It is because politics is more difficult than physics."

Nevertheless, these proposals are advanced in the firm conviction that genuine peace through total disarmament and an equitable and enforceable world law is now an achievable prospect which practical men and women can work for with reasonable hopes.

APPENDIX

Table Showing Proposed Initial Representation in the General Assembly of a Revised United Nations (or the General Conference of the World Disarmament and World Development Organization)

This illustrative table sets forth the representation in the General Assembly (or the General Conference) which each nation would have under the proposed representation formula as applied to estimated populations as of 1 July 1980.

Member Nations	*Population (Estimate for 1 July 1980)*	*Rank Relative to Population*	*Interim Number of Representatives*
China, People's Rep. of	995,000,000	1	30
India	664,000,000	2	30
USSR	266,000,000	3	30
USA	228,000,000	4	30
Indonesia	148,000,000	5	10
Brazil	119,000,000	6	10
Japan	117,000,000	7	10
Bangladesh	89,000,000	8	10
Pakistan	81,000,000	9	10
Nigeria	77,000,000	10	10
Mexico	72,000,000	11	10
Germany, Fed. Rep. of	62,000,000	12	10
Italy	57,000,000	13	10
United Kingdom	56,000,000	14	10
France	54,900,000	15	10
Viet-Nam	53,740,000	16	10
Philippines	48,000,000	17	8
Thailand	47,000,000	18	8
Turkey	45,000,000	19	8
Egypt	42,000,000	20	8
Korea, Rep. of	38,000,000	21	8
Iran	37,450,000	22	8
Spain	37,430,000	23	8
Poland	35,580,000	24	8
Burma	33,640,000	25	8
Ethiopia	31,000,000	26	8
South Africa	29,000,000	27	8
Colombia	27,090,000	28	8
Argentina	27,060,000	29	8

Member Nations	*Population (Estimate for 1 July 1980)*	*Rank Relative to Population*	*Interim Number of Representatives*
Zaire	26,000,000	30	8
Canada	24,000,000	31	8
Yugoslavia	22,300,000	32	6
Romania	22,200,000	33	6
Morocco	20,000,000	34	6
Sudan	18,680,000	35	6
Algeria	18,670,000	36	6
Tanzania, United Rep. of	17,930,000	37	6
Korea, Dem. Peoples Rep. of	17,890,000	38	6
Peru	17,780,000	39	6
Germany, Dem. Rep. of	16,700,000	40	6
Kenya	16,500,000	41	6
Afghanistan	16,000,000	42	6
Czechoslovakia	15,300,000	43	6
Sri Lanka (Ceylon)	14,700,000	44	6
Australia	14,600,000	45	6
Netherlands	14,100,000	46	6
Nepal	14,000,000	47	6
Venezuela	13,900,000	48	6
Malaysia	13,400,000	49	6
Uganda	13,200,000	50	6
Iraq	13,000,000	51	6
Ghana	11,500,000	52	4
Chile	11,000,000	53	4
Hungary	10,700,000	54	4
Mozambique	10,500,000	55	4
Portugal	9,900,000	56	4
Belgium	9,860,000	57	4
Cuba	9,830,000	58	4
Greece	9,600,000	59	4
Syrian Arab Rep.	8,980,000	60	4
Saudi Arabia	8,960,000	61	4
Bulgaria	8,860,000	62	4
Madagascar	8,700,000	63	4
Cameroon, United Rep. of	8,500,000	64	4
Ecuador	8,400,000	65	4
Sweden	8,300,000	66	4
Ivory Coast	8,000,000	67	4
Austria	7,500,000	68	4
Zimbabwe	7,400,000	69	4
Guatemala	7,300,000	70	4

Member Nations	*Population (Estimate for 1 July 1980)*	*Rank Relative to Population*	*Interim Number of Representatives*
Mali	7,000,000	71	4
Upper Volta	6,900,000	72	4
Angola	6,760,000	73	4
Kampuchea	6,750,000	74	4
Tunisia	6,400,000	75	4
Switzerland	6,370,000	76	4
Malawi	6,000,000	77	4
Zambia	5,830,000	78	4
Yemen Arab Republic	5,810,000	79	4
Senegal	5,700,000	80	4
Bolivia	5,600,000	81	4
Dominican Republic	5,430,000	82	2
Niger	5,320,000	83	2
Denmark	5,100,000	84	2
Rwanda	5,050,000	85	2
Guinea	5,014,000	86	2
Haiti	5,009,000	87	2
Finland	4,800,000	88	2
El Salvador	4,750,000	89	2
Somalia	4,640,000	90	2
Chad	4,500,000	91	2
Burundi	4,240,000	92	2
Norway	4,100,000	93	2
Israel	3,900,000	94	2
Laos	3,720,000	95	2
Honduras	3,690,000	96	2
Benin	3,570,000	97	2
Sierra Leone	3,470,000	98	2
Ireland	3,400,000	99	2
Jordan	3,240,000	100	2
Paraguay	3,200,000	101	2
New Zealand	3,100,000	102	2
Papua New Guinea	3,000,000	103	2
Libya	2,970,000	104	2
Uruguay	2,900,000	105	2
Nicaragua	2,737,000	106	2
Albania	2,734,000	107	2
Lebanon	2,660,000	108	2
Togo	2,600,000	109	2
Singapore	2,400,000	110	2
Central African Republic	2,300,000	111	2

Member Nations	*Population (Estimate for 1 July 1980)*	*Rank Relative to Population*	*Interim Number of Representatives*
Costa Rica	2,250,000	112	2
Jamaica	2,200,000	113	2
Yemen, P.D.R.	2,000,000	114	2
Liberia	1,900,000	115	2
Panama	1,800,000	116	2
Mongolia	1,700,000	117	2
Mauritania	1,600,000	118	2
Congo	1,500,000	119	2
Kuwait	1,400,000	120	2
Lesotho	1,340,000	121	2
Bhutan	1,300,000	122	2
Trinidad and Tobago	1,200,000	123	2
Mauritius	960,000	124	2
Namibia	900,000	125	2
Oman	890,000	126	2
Guyana	880,000	127	2
Botswana	820,000	128	2
United Arab Emirates	730,000	129	2
Fiji	634,000	130	2
Cyprus	630,000	131	2
Gambia	600,000	132	2
Guinea-Bissau	573,000	133	2
Gabon	548,000	134	2
Swaziland	547,000	135	2
Suriname	388,000	136	2
Bahrain	364,000	137	2
Malta	363,700	138	2
Equatorial Guinea	363,000	139	2
Luxembourg	358,000	140	2
Comoros	335,000	141	1
Cape Verde	324,000	142	1
Djibouti	310,000	143	1
Barbados	263,000	144	1
Bahamas	237,000	145	1
Qatar	237,000	146	1
Solomon Islands	229,000	147	1
Iceland	228,000	148	1
Belize	162,000	149	1
Samoa (Western)	156,000	150	1
Maldives	153,000	151	1
St. Vincent and the Grenadines	122,000	152	1

Member Nations	*Population (Estimate for 1 July 1980)*	*Rank Relative to Population*	*Interim Number of Representatives*
St. Lucia	120,000	153	1
Vanuatu	118,000	154	1
Grenada	111,000	155	1
Tonga	97,000	156	1
Sao Tome and Principe	85,000	157	1
Dominica	83,000	158	1
Antigua and Barbuda	75,000	159	1
Seychelles	63,000	160	1
Kiribati	58,000	161	1
			741
Countries with population below 50,000	300,000		1
Non-self-governing territories	11,000,000		4
Totals:	4,400,000,000		746

PART II

1. Five Approaches to World Law:
   The Idea and the Discussion in the United States
2. Bibliographic Introduction to International Organizations
3. Functional United Nations Agencies
4. Toward Consent
5. Selected World Affairs Organizations

1. Five Approaches to World Law: The Idea and the Discussion in the United States*

by Robert Woito

The Clark and Sohn proposals for establishing a world authority with the powers necessary to prevent war are unprecedented in their thoroughness, detail and imagination. They are designed to eliminate war, the organized use of mass violence, as a means of prosecuting international conflict. The recognition that sovereign political units are likely to resolve their important conflicts through warfare until a supranatural authority achieves the necessary powers to ensure their settlement through binding arbitration has a long history. Pierre Dubois (1307), Dante Alighieri (1309), Eramus (1517), Sully (1595), Emeric Crucé (1623), William Penn (1693), Hugo Grotius (1625), and Abbé de Sainte-Pierre (1716), among others, developed ideas of international law, binding arbitration between States and world government. It is sobering to study the fate of these early plans for peace. The more recent history of the Hague Conference conventions of 1899 and 1907, the League of Nations, and our current experience with the United Nations and the International Court of Justice are not much more encouraging.

Many believe that the achievement of peace through the transfer of "sovereign power to a larger or higher unit" is no more than an enduring illusion. There are, however, good reasons for believing that international institutions can become effective agents of international, if not world, law. While in the past there have been ideas and plans, in the twentieth century there are in place existing international organizations and an impressive list of functional agencies working on the problems that require cooperation.

The current, most prominent embodiment of this tradition is the United Nations. Opinion in the United States is divided over the U.N.'s performance in the 1970s and about ways to make it (or another international organization) an effective keeper of the peace.

* This chapter is adapted from *To End War* (New York: Pilgrim Press, 1982). the numbers accompanying the titles of books and articles cited in this essay relate to the accompanying bibliography.

THE U.N. OF THE 1970s: A DANGEROUS PLACE?

Many informed Americans, once enthusiastically supportive of the U.N. and still in some ways committed to it, changed their minds in the 1970s. They came to regard the United Nations as a "dangerous place" (Moynihan, *A Dangerous Place*, 5 – 72).[1] For them the problem became not how to make the U.N. more nearly match someone's formula for world government, but how to prevent the U.N. from damaging existing international law. Those making this case cite various "shocks":

> . . . aggressive challenges and opposition to Israeli legitimacy and policies, including the equating of Zionism with racism, the recommendation that states halt economic aid to Israel and action in the U.N. Educational, Scientific, and Cultural Organization (UNESCO) to exclude Israel from the European group; support for national liberation movements . . demands for redistribution of global economic wealth [as a matter of right] . . . a general conversion of UN forums into platforms for vitriolic attacks on the West in general and the United States specifically. . . .[2]

The fear was expressed that even the accepted morality which condemns aggression and massacre was being distorted and subverted. A double standard enabled condemnation of the West and its allies, while leaving most other countries immune to criticism. Such a double standard was clearly evident in sessions of the U.N. Human Rights Commission when human rights violations in Israeli-occupied territories, in South Africa, and in Chile were condemned while violations in Uganda, Kampuchea, and in Arab and Communist States were generally ignored. Apparently countries considered allied to the West, and open enough to have their human rights violations reported, were condemned; but closed societies went unreproached despite evidence of even more flagrant violations.*

Another disillusioning experience with the U.N. in the 1970s was the defining of aggression in international law. The consensus reached was so vague that it is more likely to condone than condemn one country's forceful deployment of military forces inside another country (Stone, *Conflict through Consensus*, 5 – 102).[3]

[1] See also Abraham Yeselson and Anthony Gaglione, *A Dangerous Place* (Grossman: New York, 1974) and Shirley Hazzard, *Defeat of an Ideal* (Boston: Little, Brown, 1973).

[2] David Kay, *The Changing United Nations* (5 – 73).

[3] For a favorable assessment of the U.N.'s defining of aggression, see Benjamin Ferencz, "Defining Aggression," *American Journal of International Law*, July, 1972, pp. 491 – 508.

* This has somewhat changed in the 1980s, with condemnations of Uganda, the Central African Empire, Bolivia, Afghanistan and Poland.

But, despite disillusionment about the effectiveness and purpose of the U.N., public support for U.S. participation remained constant. In the 1970s, polls indicated that only 15% to 18% of the American public wanted the U.S. to withdraw — approximately the same as in the 1950s.

Critics of the U.N. who want the U.S. to continue participating find fault with more than specific policies. They see the prospect for international organizations to become instruments of world law countered by the most emotionally powerful force in world politics today: nationalism. Nationalistic feelings tie people to States, not to international or global institutions. The attempt to strengthen international institutions by transferring tasks to them, despite the lack of a supporting constituency, is found to fail and to lead to a loss of credibility. Agreement about policies within the current U.N. structure is difficult to reach because of the diversity of interests. Ambiguous and vague policies are pronounced, and these cannot be administered. When agreements are reached, they often express the desire of the majority of small and weak States for sacrifices by the minority of large and powerful States. The U.N. structure is cumbersome at best and raises many bureaucratic problems — for example, how many nationalities must be members of each agency? Since State leaders are accountable to domestic rather than international or global constituencies, is it any wonder that they use U.N. forums primarily for domestic purposes? Given these realities in present international organizations, those who argue that State actions are bad and international actions are good may be asking for the transfer of functions from effective to ineffective political organizations.

The U.N. has political as well as structural problems since most member States are dictatorships, and their leaders did not come to power through persuasion and compromise. The politics of the U.N. are understood by some as motivated by a desire to cripple democracies (Moynihan, *A Dangerous Place*, 5 – 72), and by others as a form of trade-union bargaining (with the third world cast as the unions and the developed, industrial democracies as management) (Cleveland, *The Third Try at World Order*, 5 – 74). But whatever the motivation, the result is an arena in which the U.S. must defend its own legitimacy and interests and seek allies committed to defending international law, not one that can be expected to become an effective world political institution capable of resolving conflict without war.

STRENGTHS OF THE CURRENT U.N.

Defenders of the U.N. respond to both specific and general charges by

agreeing that the U.N. *is* no better than its membership. How could it be otherwise? The problem is that the U.N. does not have real power to resolve conflicts or carry out policies. The real test of international organizations will come when they have the authority to act on their own (Clark & Sohn, *Introduction to World Peace through World Law*, 5 – 120). Give the U.N. more power and its members will act more responsibly. One of the current problems is the sense of powerlessness felt by leaders of developing countries. They want a larger share of the decision-making power over decisions that deeply affect them. They attack the West because of its resources and because the West, unlike the Soviet Union, responds to rhetoric. The U.N. will become more responsible, these defenders conclude, when the authority to make recommendations is combined with the power to implement them.

Whenever the U.N. has been given specific peacekeeping functions it has been effective. It significantly aided in the nonviolent resolution of conflict in Iran (1946), Indonesia (1947), Egypt (1956), Cyprus (1968 – 1974), the Middle East (1948, 1956, 1967, 1973 –), and it limited violence in the Congo (1960). Given the logistic, cultural, and political complexities of U.N. peacekeeping operations, this is a remarkable record ("Peacekeeping," 5 – 81 to 5 – 92). In addition, the U.N. has served as a forum for the clarification of objectives and goals, and has, through a series of conferences, focused attention on economic development, food, environment, technology transfer, women's rights, disarmament, and other problems. Through its specialized agencies, the U.N. has impressive achievements to its credit, such as the elimination of smallpox. There are very few ten-mile square areas on earth that have not benefited directly from U.N. activities.

Much of the criticism of the U.N. during the 1970s resulted from actions by its General Assembly. The General Assembly has changed from a forum led by the U.S. to one in which other voices set much of the tone, agenda and results (Newcombe, *National Patterns in International Organizations*, 5-60, Vincent, *Empirical Studies of Behavioural Patterns at the United Nations*, 5-59, Jacobsen, *The General Assembly of the United Nations*, 5-55). A new majority of developing States, called the Group of 77 (actually now over 120 States) can easily pass resolutions over U.S. opposition. But while the U.S. has opposed and lost on a few highly publicized resolutions in the General Assembly, it has supported most of those passed. Indeed, the U.N. has shifted from a forum for U.S. policy to the world arena which it was intended to be. Harlan Cleveland calls this result a "victory for pluralism" — a traditional U.S. objective. The United States is the principal member of the U.N. today able to help it improve. This is because of its size, the openness of its society (which makes it possible for new ideas to be developed), and its resources. It is so frequently attacked because its policies matter. Those making this case concur with John Stoes-

singer:

> . . . a new United Nations is emerging. It has a different agenda and different priorities. . . . North-South tensions have begun to supersede old East-West rivalries. . . . The struggle for power continues unabated. And yet, there is a new emphasis on the problems that we face as fellow passengers on Planet Earth. . . . It is this new slow dawning of compassion and of global consciousness that I begin to sense in the United Nations of tomorrow.[4]

Stoessinger calls for a renewal of our commitment, combined with a more compassionate response to the "New International Economic Order" proposed by the Group of 77.

THE SETTING FOR INTERNATIONAL INSTITUTION-BUILDING

Despite, or perhaps because of the limits of the current U.N., many people still believe that institutions with supranational authority are desperately needed and that their creation should be an urgent goal of policy-makers (*Elements of U.N. Reform*, 5 – 112). They point out the progress made since 1940 in the creation of new institutions and ask, "Who can be sure what might be achieved in the next forty years or so?" There are many changed realities in the contemporary world which make supranational authority more necessary and more likely then in previous eras. Paramount among these are nuclear weapons and interdependence.[5]

[4]Stoessinger, *The United Nations and the Superpowers*, 5 – 57.

[5]Interdependence has several meanings. As used here it means mutual dependence between two or more States. Other related concepts include convergence — the tendency of separate States to become more socially and economically alike; integration — the forming of one political authority where before there were two or more; and interpenetration — the cultural or technical impingement of one society upon another.

Some form of supranational authority[6] is required to control weapons of mass destruction. Even as the two superpowers' arsenals have grown, the number of States with nuclear capability has increased. Unless the superpowers begin serious arms reductions, the number of nuclear powers will continue to increase (Epstein, *The Last Chance*, 2 – 94), and arms control will be even more difficult. Nuclear arms control and non-proliferation require supranational authority.

There is now greater interdependence among States than ever before. One indication is the growing volume of transactions between States. Some of these transactions are by heads of State, others by non-State actors (such as international non-governmental organizations (INGOs)) and some by transnational corporations (TNCs). These activities include world trade, the transfer of technological innovations and aesthetic tastes, tourist travel, conferences and correspondence among member of professional associations. Careful study of these trends indicates that States' social structures are converging.[7] Such convergence, however, does not necessarily lead to political integration or the formation of regional or world governmental structures.

BEYOND THE STATE: ALTERNATIVE APPROACHES TO WORLD ORDER

All proponents of global institutions agree that existing international structures need to be strengthened or changed if they are to help end war. They do not agree on which institutions are needed and which are achievable, and what the power of these should be. The present situation is comparable to past settings in which common institutions were possible: there is a vast array of problems which no existing political organization can solve alone. But there is not agreement on a single formula for new global structures, and for the foreseeable future the prospect is for a wide range of institutions. This range is likely to include supranational global authorities with narrow responsibilities, such as inspecting nuclear fuel handling or verifying arms control and disarmament agreements; regional bodies acting to resolve conflict within a geographical or cultural region; international institutions, in which each government retains the decisive say, regulating common activities, such as currency exchange.

A diffusion of power may help to control war. However, this approach raises some perplexing questions: (1) Is a world of, say, 250 States safer than one of 170?; (2) Is it both feasible and desirable to break up the larger States? It

[6]Supranational here means a new, sovereign authority capable of imposing binding sanctions upon those violating its rules; transnational authority refers to actions across State lines, without implying sovereignty; international refers to inter-governmental activity.

[7]Alex Inkels, "The Emerging Social Structure of the World," *World Politics*, July 1975.

can be argued that war would be more frequent but less deadly in a world composed of smaller States; but given existing technologies, wars could be more frequent *and* more deadly than World War II. While some may want to explore how the problem of war might be resolved in a world of many small States, our focus here is on the idea that strengthening international institutions can help prevent war between the existing political communities. While a complex array of international regimes, regional bodies, and governmental and non-governmental agencies is possible (Falk, *Future Worlds*, 5 – 113), only five specific institutional settings address the problem of controlling the threat of war. The institutions needed could be achieved by 1) changing State policies toward the present United Nations; 2) continuing the development of functional and regional international institutions (and thus creating a web of relationships that would make supra-national peace-keeping organizations possible later); 3) revising the U.N. Charter to give the U.N. binding authority in the security area; 4) creating a new world organization in cooperation with the U.N.; and 5) writing a new world constitution at a world constitutional convention (thus by-passing States).

CHANGE NATIONAL GOVERNMENTAL POLICIES, NOT INTERNATIONAL STRUCTURES

Proponents of achieving world law within the presently constituted U.N. system argue that the key to effective international institutions is agreement among the great powers. When the great powers agree, the United Nations is effective; when they do not, any international organization powerful enough to stand in their way would be the creature of one of them. The current U.N., in this view, reflects political reality with the veto in the Security Council and the absence of legislative authority in the General Assembly. If States would use the existing institutions, these could restrain the military policies of States. It is unwise, in this view, to press for structural change in the U.N. because such changes would violate the realities of power in a world dominated by two antagonistic superpowers. Before stronger international institutions can be built, there must be a change in policies of the superpowers and in public attitudes. If the U.S., for example, would consistently use the U.N. as it is now constituted, the U.N. would be greatly strengthened. Besides, the Soviet Union has always made it clear that it would veto any proposals for altering the U.N. Charter; so we should make the best use of what now exists.

An influential voice within this school of thought argues that existing international law is much more significant than is generally realized. Advocates of this view (McDougal & Feliciano, *Law and Minimum World Public Order*, 5 – 11) point out that existing treaties, customary law, judicial opinions, and

the great works of scholars provide the substance of international law; the components of any legal sanctioning process are all in place: prevention, deterrence, restoration, rehabilitation, and reconstruction. These five processes can be set up concerning any issue on the global agenda. Those who want to further the rule of law should, in this view, insist on the use of existing judicial processes.

REGIONAL AND FUNCTIONAL APPROACHES TO WORLD LAW

Another approach to strengthening international organizations into instruments of world law agrees with the central contention of the first: agreement about structural changes in global international institutions cannot now be achieved. But, the functionalists argue, that there are many practical problems faced by all States for which cooperation is both needed and agreement possible. These matters have been assigned to what are called "functional," international organizations, because they are focused on a specific task, such as the World Health Organization's focus on the problem of eradicating small pox. The accomplishments of this and similar international organizations are impressive. People divided by national, religious, ideological, and other differences can nonetheless cooperate to ease common problems. Out of this experience, the functionalists assert, could come the will to build similar institutions to address the problem of war.

Related to the functionalist approach is one which seeks to build regional international organizations into effective peacekeeping institutions. Its proponents argue that people in geographic proximity and sharing common cultural heritages are far more likely to accept common political institutions. Here, too, the emphasis is on narrow functions, not on broad agreement across ideological divisions. Advocates of regionalism see in the Council of Europe, the Organization of American States, and the Organization of African Unity, embryonic regional governments. Europe's steps toward political integration are, in this view, the best example of how national rivalries can be transcended.

U.N. CHARTER REVISION OR CREATION OF A WORLD SECURITY ORGANIZATION

Those who believe that world law is possible today feel an overriding urgency brought on by the threat of nuclear war, by pollution, by population

growth, and by a scarcity of resources. The central problem is to achieve a world authority capable of addressing these problems, with the legal right and economic resources capable of resolving them. The best way to achieve these ends is to revise the U.N. Charter, and what is required to accomplish that purpose is leadership in a sufficient number of countries.

However, there are many different approaches to achieving world law through U.N. Charter revision. The most prestigious and widely discussed one was developed by Grenville Clark and Louis Sohn (*Introduction to World Peace through World Law*, 5 – 120). It features a constitutional model, a weighted voting system, and an extensive peacekeeping, conflict-resolution authority superseding that of sovereign States. But in most respects, the authority of existing States is left intact. The central idea is that of a world federal authority in which power is divided between a central world government and existing States. Such a system of world federalism accepts a great deal of diversity in the world and offers an institutional solution to the problem of resolving conflict.

In response to critics who suggested that this looks like the U.S. Constitution writ large, the Institute for World Order launched the World Order Models Project (Mendlovitz, *On the Creation of a Just World Order*, 5 – 129). They solicited from teams of scholars representing various regions and world views their conception of a preferred world order which might be achievable by the 1990s. In response to other critics who said that agreement on Charter revision was not likely (the Soviet Union argued that world government was impossible in a world of different, competing economic systems), they recommended a parallel organization which would address the security question and perhaps sponsor economic development programs. Participation would be by consent and would be viewed as a demonstration of sincerity of peaceful intent.

WORLD CONSTITUTIONAL CONVENTION AND EXTRANATIONAL APPROACHES

Some advocates of world law disagree with the Federalist approach. They argue that world law cannot be built on top of the existing State system; the States are the main obstacle to world law, not its base. The world is sufficiently interrelated to sustain a world government or a functioning world court; it is the States that hinder clear perception of the existing reality of world community.

One extranational approach to world law advocates the formulation of a

world constitution at a special convention of delegates elected by people throughout the world. Since no State can be expected voluntarily to yield control of its crucial powers to tax and wage war, that obstacle can be circumvented in the same way the Founding Fathers of the United States circumvented the sovereign States that made up the Confederation (1781-1789). A convention could draft a world constitution (*A Constitution of the Federation of Earth*, 5-126), and submit it directly to conventions held in each State for the purpose of adopting or rejecting world law. Out of this would come a world government representing people, not States. The U.S. Constitution, after all, begins, "We, the people . . ." not "We, the States . . ."

A related approach seeks to create international institutions and practices without waiting for the approval of States. Advocates maintain that the resources available to international lawyers are even now adequate; existing treaties, norms of behavior, the U.N. Charter, and case law provide an adequate tradition. Gerald Gottlieb has advocated the creation of a "Court of Man," for example, based on Medieval examples of courts which successfully challenged the monopoly of empires or feudalities over the process of law. Such "courts of community" have functioned in the past without State authorization in several regions of the world. A similar idea is simply to hold State leaders judicially accountable for violation of, for example, international human rights treaties. Luis Kutner sought to prosecute Idi Amin, has filed suits against Fidel Castro, and has sought to enforce *habeas corpus* rights in international courts which can be created if existing courts decline jurisdiction. Such proposals would require an extranational judiciary, independent of States, which would render judgment on those who misuse State power.

CONCLUSION

Every approach to world law is confronted by skepticism: of course we should participate in the U. N. and in functional and regional organizations, but these are basically intergovernmental organizations; they operate only when they help countries discover where their self-interests coincide. When they work, they do so effectively; when they do not work, no international organization can override them. The basic reality of modern world politics remains psychological loyalty to the State. Contemporary ideological divisions make it extremely unlikely that there will be any voluntary yielding of sovereignty to a body capable of enforcing world law. Nationalism is a growing force in Asia, Africa, and Latin America. Interdependence has brought with it an increase in transactions between States and thus the ability of one State to influence another. This may produce a desire for cooperation, but it can as well produce conflict or a desire for isolation from other States. Thus, the precondition for

effective world political institutions — a politically effective sense of world community — does not now exist. Until it does, skeptics believe, peace will be kept as it has been kept for a long time: by a realistic assessment of the national interest, by the maintenance of an adequate military deterrent, and by careful diplomacy.

The central issue between proponents of these divergent views is the extent to which there now exists a sense of world community. The possible rewards for those who succeed in overcoming the obstacles are eloquently stated as the goals of the United Nations:

1. To save succeeding generations from the scourge of war.
2. To reaffirm faith in fundamental human rights.
3. To establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained.
4. To promote social progress and better standards of life in larger freedom.

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2. Bibliographic Introduction to International Organizations

Among the questions the reader may want to pursue in the books that follow are these: 1) What purposes were previous international organizations designed to fulfill? How well did they succeed? 2) What makes law possible? 3) How are States formed? 4) Does a sense of community precede the creation of a State or follow from the creation of a State? 5) Can organizations with opposing ideologies agree to cooperate or rules so that they can conduct their conflict politically within one institution? Opposing religions? 6) What types of international organizations exist today at the regional and global levels? 7) How successful have they been? 8) Are their failings the result of their having too much or too little power? 9) When and where has the U. N. acted successfully to keep the peace? 10) What level of international or supranational organization is possible and needed today? What are the tasks such an organization would address?

A. Introductions

5 – 1 *International Organizations, An Introductory Kit*, 30pp, 197?, World Without War Publications, free. Identifies contending perspectives, indicates choice points between them, and outlines U. N. reform proposals.

5 – 2 *International Organization, A Conceptual Approach*, Paul Taylor & A. J. R. Groom, 466pp, 1978, Nichols, $25.00. Offers a 200-year perspective on the emergence of international organizations.

5 – 3 *International Organizations: Principles and Issues*, A. LeRoy Bennett, 498pp, 1984, 3rd ed., Prentice-Hall, $14.95. A systematic introduction to the origins and development of the 20th Century's contribution to world politics: international organizations. A judicious assessment.

5 – 4 *The Strategy of World Order*, Richard Falk and Saul Mendlovitz (ed.), 2,298pp, 1966, Institute for World Order, Volumes I-IV, $14.00. An attempt to develop an academic discipline oriented toward the principal policy questions of world affairs: how to achieve world order. Each volume is an anthology of carefully selected materials, with connecting notes and discussion questions. Volume I presents the plan of this systematic study and gathers articles on the various theoretical problems involved in the prevention of war. Vol. I *Toward a Theory of War Prevention*, 394pp, 1966, $3.50. Selections by Kenneth Boulding, Herman Kahn, Quincy Wright, Harold Lasswell, and others. Vol. II *International Law*, 382pp, 1966, $3.50. Selections by Falk and Mendlovitz, Louis Henkin, Inis Claude, Stanley Hoffmann, and others. Vol. III *The United Nations*, 848pp, 1966, $4.50. Selections on the League of Nations, the International Court of Justice, peacekeeping, financing, and proposals for a world police force. Vol. IV *Disarmament and Economic Development*, 672pp, 1966, $4.50. Articles by Jerome Wiesner, Thomas Schelling, Charles Osgood, Richard Barnet, Emile Benoit and others.

5 – 5 *The United Nations: The World's Last Chance for Peace*, Winthrop and Frances Neilson, 276pp, 1975, NAL, $1.75. A brief introduction to the structure and functioning of many parts of the U. N. system.

5 – 6 *Swords into Plowshares: The Problems and Progress of International Organization*, Inis Claude, Jr. 514pp, 1971, 4th ed., Random House, $15.95. A classic in the field, includes historical background of contemporary international organizations, constitutional problems, approaches to peace through international organization, and the future of world order.

B. International Law

5 – 7 *A Modern Introduction to International Law*, Michael Akehurst, 283pp, 1978, (3rd ed.) Allen & Unwin, $13.75. Discusses succinctly the sources, nature, and uses of international law.

5 – 8 *Contemporary International Law: A Concise Introduction*, Werner Levi, 391pp, 1978, Westview, $11.00. Maintains that law is part of politics and is useful in clarifying communications but is not an effective control on power.

5 – 9 *The Future of Law in a Multicultural World*, Adda Bozeman, 229pp, 1971, Princeton, $5.95. Points out the role and limits of law in adjudicating disputes between States with different cultures and different notions of law.

5 – 10 *International Law in a Changing World: Cases, Documents and Readings*, Edward Collins, Jr., 493pp, 1970, Random House, $17.95. Characterizes international law as an "instrument whereby States may achieve tentative reconciliations between their simultaneous urges for freedom of action and for predictable patterns of behavior." This text describes the important uses and current limits of international law.

5 – 11 *Law and Minimum World Public Order*, Myers McDougal & Mendoza Feliciano, 1961, O.P. A classic introduction to the effectiveness of existing international law.

5 – 12 *Toward World Order and Human Dignity: Essays in Honor of Myers McDougal*, Michael Reisman & Burns Weston (eds.), 603pp, 1976, Macmillan, $20.00. Essays honoring a leading advocate of international law as a "policy-oriented jurisprudence" in which values are pursued rather than rules applied.

5 – 13 *The Bases of International Order, Essays in Honour of C.A.W. Manning*, Alan James (ed.), 218pp, 1973, Oxford, $11.25. Essays honoring a revered teacher, examining the attitudinal and structural requirements of order with an emphasis on inter-state relationships.

5 – 14 *Principles of Public International Law*, Ian Brownlie, 772pp, 1980 (3rd ed.), Oxford, $27.50. Covers both the technical content of international law and its specific applications.

5 – 15 *The Creation of States in International Law*, James Crawford, 500pp, 1979, Oxford, $48.00. A comprehensive account of the international law of statehood.

5 – 16 *International Law and World Order*, Burns Weston, Richard Falk, Anthony D'Amato (eds), 1266pp, 1980, West Publishing, $23.95 (Supplementary *Documents in International Law and Order*, 460pp, 1980, $5.95). A problem-oriented course book designed for introductory international law students.

5 – 17 *International Law and National Behavior, A Behavioral Interpretation of Contemporary International Law and Politics*, Ahmed Sheikh, 352pp, 1974, Wiley, $12.95. Examines the broadening scope and acceptance of international law including

chapters on the attitude toward law of the Soviet Union and of selected third world countries.

5 – 18 *The Price of International Justice*, Philip Jessup, 82pp, 1971, Columbia, $10.00. Jessup cites five cases when States submitted disputes to international arbitration, and defines the price of peace as accepting international arbitration, and calls each arbitrated dispute an advance of a few inches on the long road to peace.

5 – 19 *International Environmental Law*, Ludwik Teclaff and Albert Utton, 270pp, 1974, Praeger, $18.95. Covers a wide range of areas from U. N. programs to specific problems such as air pollution and outer space.

5 – 20 *International Law and the Movement of Persons Between States*, Guy Goodwin-Gill, 324pp, 1978, Oxford, $34.95. A study of the rights of foreign nationals in a country, when they may be expelled, when they must be permitted to enter, and the application of the "principle of non-discrimination."

5 – 21 *The Law Relating to Activities of Man in Space*, S. Houston Lay & Howard Taubenfeld, 360pp, 1970, U. of Chicago, $25.00. An analysis of the national laws relating to the use of outer space, and a consideration of the need for internationally recognized laws controlling space activities.

5 – 22 *Seeking World Order: The United States and International Organizations to 1920*, Warren Kuehl, 320pp, 1969, Vanderbilt, $10.00. Describes the background to Wilson's proposal for a League of Nations and its rejection in the U.S.

5 – 23 *Great Britain and the Creation of the League of Nations, Strategy, Politics, and International Organization, 1914 – 1919*, George Edgerton, 273pp, 1978, North Carolina, $17.50. Provides a useful background on the formation of the first world institution.

5 – 24 *Office Without Power, Secretary-General Sir Eric Drummond 1919 – 1933*, James Barrios, 448pp, 1979, Oxford, $41.00. The chief officer of the League of Nations used his influence behind the scenes, much like the U.N. Secretary General.

5 – 25 *Collective Insecurity: The United States and the League of Nations During the Early Thirties*, Gary Ostrower, 288pp, 1979, Bucknell, $19.50. Traces the existence of an "international impulse" particularly toward the Far East in an era of isolationist sentiments.

5 – 26 *The World Court and the Contemporary International Law-Making Process*, E. McWhinney, 227pp, 1979, Sijthoff & Noordhoff, $35.00. Describes the law-making process under international law as it applies to the International Court of Justice.

5 – 27 *The Law of Armed Conflicts*, Dietrich Schindler & Jiri Toman, 904pp, 1980, Sijthoff & Noordhoff, $105.00. Presents international conventions, resolution, and conferences concerning the law in war along with a list of who is party to what conventions.

5 – 28 *World Treaty Index and Treaty Profiles*, Peter Rohn, ed., six volumes, 5300pp,

1975, ABC-Clio, $510.00. Lists over 20,000 treaties and offers a statistical analysis of national, regional and global treaty patterns.

5 – 29 *Uncertain Judgment, A Bibliography of War Crimes Trials*, John Lewis, 251pp, 1979, ABC-Clio, $25.75. Lists 3,352 books and articles related to war crimes; included are historical works as well as an exhaustive bibliography of the trials at the end of World War II.

5 – 30 *Social Science Literature: A Bibliography for International Law*, Wesley Gould and Michael Barkun, 641pp, 1972, Princeton, $15.00. Nearly 3,000 annotated entries of articles and books covering such areas as the dynamics and evolution of international law, inter-governmental organization, war crimes, human rights, decision-making, sovereignty and nationalism, and natural resources.

5 – 31 *Bibliography of International Law*, Ingrid Delupis & Nee Nettor (eds.), 670pp, 1975, Bowker, $37.50. For the specialist.

For an extensive list of international law publications, write Oceana Publications, Dobbs Ferry, N. Y. 10522

C. Regional Organizations

5 – 32 *Regional Politics and World Order*, Richard Falk and Saul Mendlovitz (eds.), 475pp, 1973, Freeman, $5.95. Continues the format of *The Strategy of World Order*, and asks whether regional organizations can transcend national sovereignties; and if so, how such regional organizations might aid or prevent the emergence of a world order capable of preventing war. Contributors include Ernest Haas, Joseph Nye, Inis Claude, Kay Boals and Hedley Bull.

5 – 33 *Regionalism and the United Nations*, Berhanykun Andemicael (ed.), 603pp, 1979, Oceana, $50.00. Prepared for UNITAR, this volume provides largely favorable views of the workings of regional organizations.

Intro

5 – 34 *Regional International Organizations: Structures and Functions*, Paul Tharp, Jr., (ed.), 1971, St. Martin's, $8.95. A valuable introduction to the world's regional organizations.

(See also Chapter 10.)

D. International Organizations

5 – 35 *Yearbook of International Organizations, 1978 – 79*, Union of International Associations, 1,200pp, 1978 (17th ed), International Publications Service, $80.00.

Lists 8,200 governmental and non-governmental organizations and provides a brief history and description of each.

5 – 36 *Moderation from Management: International Organizations and Peace*, Robert Butterworth, 140pp, 1978, Pittsburgh, $4.95. Studies 166 conflicts in which international organizations played a role, and argues their effectiveness is directly related to their willingness to aid States reach agreement rather than to impose solutions.

5 – 37 *Multinational Cooperation: Economic, Social and Scientific Development*, Robert Jordan (ed.), 392pp, 1972, Oxford, $4.95. Essays on international organizations including UNESCO, the World Bank and International Monetary Fund, and the Organizations of American States.

5 – 38 *Organizing Mankind: An Analysis of Contemporary International Organizations*, Lynn Miller, 365pp, 1972, Holbrook, $5.95. An introduction to the field of international organization which here includes not only the U.N., but also economic blocs, multilateral alliances, and regional organizations.

5 – 39 *The Future of International Economic Organizations*, Don Wallace, Jr. and Helga Escobar (eds.), 184pp, 1977, Praeger, $18.95. Considers the type of organizations and their functions in the areas of international trade, food supply, and natural resources except oil. Diverse views are presented.

5 – 40 *The Anatomy of Influence: Decision Making in International Organization*, Robert Cox, *et al*, 520pp, 1973, Yale, $37.50. Applies general theoretical concepts about influence to International Labour Organization decision-making.

E. The United Nations

Intro

5 – 41 *Basic Facts about the U.N.*, United Nations, 131pp, 1980, United Nations, $1.95. A factual introduction to the organization and function of each part of the U.N. system.

Intro

5 – 42 *Issues Before the 36th General Assembly of the United Nations*, 1981 – 82, Donald Puchala (ed.), Frederic Eckhard, Project Editor, 150pp, 1980, United Nations Association of the U.S.A., $7.00. An annual assessment of the issues expected to be brought before the fall session, published in September.

5 – 43 *Charter of the United Nations and Statute of the International Court of Justice*, United Nations, 57pp, 1945, United Nations, $1.50. The texts.

5 – 44 *Reference Guide to the United Nations*, UNA of the USA, 100pp, 1978, United Nations Association, $7.50. A looseleaf notebook with basic factual information on every U.N. body, specialized agency and program; up-dated annually.

5 – 45 *The Challenge of Peace*, Kurt Waldheim, 224pp, 1980, Rawson Wade, $9.95. Offers a brief autobiographical sketch and an account of the Secretary General's role in resolving conflicts.

5 – 46 *Building the Future Order, The Search for Peace in an Interdependent World*, Kurt Waldheim, Robert Schiffer (ed), 224pp, 1980, Free Press, $12.95. A selection of the Secretary General's speeches designed to illustrate how he is using his office to further the purposes stated in the U.N. Charter.

5 – 47 *Your Man at the U.N.: People, Politics & Bureaucracy in the Making of Foreign Policy*, Seymour Finger, 368pp, 1980, NYU Press, $26.50. A handbook on how the U.S. mission operates, a sketch of its leaders, and a description of the political influences on the mission.

5 – 48 *Soviet & American Policies in the United Nations: A Twenty-Five Year Perspective*, Alvin Rubinstein & George Ginsburgs (eds.), 211pp, 1971, New York U. Press, $12.00. Examines the different approaches to the U.N. of the superpowers during a period when peacekeeping, conflict resolution, and decolonization were the major issues.

5 – 49 *UN Law-Fundamental Rights: Two Topics in International Law*, A. Cassese (ed.), 268pp, 1979, Sijthoff & Noordhoff, $38.00. Discusses legal and political issues concerning the law of the United Nations and the international protection of human rights.

5 – 50 *An Idea and Its Servants: UNESCO from Within*, Richard Hoggart, 1978, Oxford, $13.95. A critical examination of the UN Agency.

5 – 51 *Sovereign Equality Among States: The History of an Idea*, Robert Klein, 198pp, 1974, Toronto, $15.00. Describes the origins of the principle underlying the U.N. General Assembly and consequences to it for limiting the authority powerful States are willing to grant it and other similarly structured international bodies.

5 – 52 *The United Nations, How it Works and What it Does*, Evan Luard, 190pp, 1979, St. Martin's, $18.95. Offers a hopeful assessment of the U.N.'s problem-solving capacity.

5 – 53 *Nations on Record: United Nations General Assembly Roll-Call Votes* (1946–1973), Lynn Schopen, Hanna Newcombe, Chris Young, and James Wert, 534pp, 1975, Canadian Peace Research Institute, $17.00. A record of how each country voted on each General Assembly roll call vote during the first twenty-eight sessions.

5 – 54 *The United Nations System, Coordinating its Economic and Social Work*, Martin Hill, 252pp, 1978, Cambridge, $37.50. Notes the shift from peacekeeping to economic concerns, and is a penetrating analysis of the current functioning of the U.N. system in the economic field.

5 – 55 *The General Assembly of the United Nations, A Quantitative Analysis of Conflict, Inequality, and Relevance*, Kurt Jacobsen, 300pp, 1978, Columbia, $15.00.

After a study of the resources and actions of member States in the first 24 sessions, he concludes that despite their voting strength, few developing countries have the resources to fully participate in General Assembly activities.

5 – 56 *Organizing for Peace: A Personal History of the Founding of the United Nations*, Clark Eichelberger, 317pp, 1977, Harper, $17.95. Covers the period from the rejection of the League of Nations by the U.S. to the establishment of the U.N. in New York, and provides insight into U.S. policy in seeking to create the United Nations.

5 – 57 *The United Nations and the Superpowers: China, Russia, and America*, John Stoessinger, 245pp, 1977, 4th ed., Random House, $5.95. A valuable analysis of recent trends in U.N. activity, and a partial response to those now making the case that it is a dangerous place: most resolutions have not been against U.S. interests.

5 – 58 *China, the United Nations, and World Order*, Samuel Kim, 581pp, 1979, Princeton, $12.50. Details China's approach to international law and to participation in the U.N.

5 – 59 *Empirical Studies of Behavioural Patterns at the United Nations*, Jack Vincent, 120pp, Vol. I, 130pp, Vol.II, 1978, Peace Research Reviews, $5.00 per vol. Presents data on delegate attitudes and General Assembly voting patterns.

5 – 60 *National Patterns in International Organizations*, Hanna Newcombe, 367pp, (3 vols.), 1975, Peace Research Reviews, $5.00 each. A search for quantitatively verified patterns of voting in multilateral, parliamentary settings.

F. The United Nations Publications

5 – 61 *Everyone's United Nations, A Handbook on the United Nations, Its Structure and Activities*, 477pp, 1980, United Nations, $7.95. Describes the structure and activities of the United Nations and the seventeen intergovernmental agencies related to it; focuses on the years 1966 to 1978. Among the other series published by the United Nations are: United Nations Documents, United Nations Documents Index, Annual Report of the Secretary General, United Nations Demographic Yearbook, United Nations Statistical Yearbook, United Nations Treaty Series, Yearbook of the United Nations, United Nations Disarmament Yearbook. Write United Nations Publications, New York, N.Y. 10017. Ask for a free catalogue.

5 – 62 *World Statistics in Brief, United Nations Statistical Pocketbook*, United Nations, 90pp, 1981, U.N., $2.50. Provides brief statistical profiles of member States including area, population, products, and social indicators.

5 – 63 *World Economic Survey*, 1977, United Nations, $10.00. Provides information on world trade, production, inflation, employment, monetary reserves, debts, and rates of exchange.

5 – 64 *Apartheid, A Select Bibliography on the Racial Policies of the Government of the*

Republic of South Africa, 1970 – 1978, 50pp, 1979, United Nations, $5.00. Traces the development of apartheid and the attempts to end it.

5 – 65 *The United Nations and Human Rights*, United Nations, 89pp, 1973, United Nations, $3.00. A survey of U.N. human rights activities.

5 – 66 *The Realization of Economic, Social and Cultural Rights: Problems, Policies, Progress*, Monouchehr Ganji, 326pp, 1975, United Nations, $14.00. Primarily an assessment of economic development.

5 – 67 *Transnational Corporations in World Development: A Re-Examination*, 1978, United Nations, $12.00. A comprehensive view of the effects of TNC's on governmental policies as well as on legal, economic, and social circumstances in host countries.

5 – 68 *The Work of the International Law Commission*, United Nations, 325pp, 1980, United Nations, $16.00. Describes the purposes of the commission, the background to its work, and work accomplished.

5 – 68A *Directory of United Nations Information Systems*, UN, 1981, United Nations, Vol. I $22.00, Vol. II $13.00. Describes over 300 UN information systems, publications and several thousand addresses of sources of information within countries.

5 – 69 *The United Nations Disarmament Yearbook*, United Nations, 481pp, 1980, United Nations, $28.00. A summary of U.N. work on disarmament in 1979 including the follow-up to the Special Session, General Assembly resolutions, and work on specific issues like strategic arms limitations and nuclear-weapons-free zones.

5 – 70 *Yearbook of the United Nations* 1977, United Nations, 1,302pp, 1980, United Nations, $50.00. An annual overview of events throughout the U.N. system related to political and security questions, disarmament, economic and social questions, international law, special programs, and relations to other intergovernmental agencies.

G. Assessments and Policy Recommendations

5 – 71 *U.S. Policy in International Institutions: Defining Reasonable Options in an Unreasonable World*, Seymour Finger and Joseph Harbert (eds.), 489pp, 1978, Westview, $13.50. Thirty-five scholars and diplomats present specific recommendations for policy changes and a few reforms to make the current structure more effective.

5 – 72 *A Dangerous Place*, Daniel Patrick Moynihan & Suzanne Weaver 297pp, 1980, Berkley, $2.75. A collection of essays and reflections on the dangers posed for democratic societies by international bodies dominated by authoritarian and totalitarian governments, and on the central role that international law must play if democracy is to survive.

5 – 73 *The Changing United Nations, Options for the United States*, David Kay (ed.), 226pp, 1978, Praeger, $20.95. Emphasizes the changes in the U.N. in the 1970s, the

challenge of the third world, politization of specialized agencies, but argues that the need for U.N. peacekeeping activities is greater now than ever.

5 – 74 *The Third Try at World Order, U.S. Policy for an Interdependent World*, Harlan Cleveland, 119pp, 1976, Aspen Institute $3.95. Calls for a planetary bargain to establish functional regimes for common problems but without overarching authority.

5 – 75 *The Future of the UN, A Strategy for Like-Minded Nations*, Charles Yost, Chairman, 58pp, 1977, Westview, $7.50. Calls for a new pragmatism in U.S. participation in coalitions of democratic states, flexibility in response to social change movements, and hard bargaining concerning the new interdependence issues – food, trade, technology transfer, energy, commodity pricing, and environmental issues.

5 – 76 *The United Nations in Perspective*, E. Berkley Tompkins (ed.), 155pp, 1972, Hoover Institution, $7.50. Eight essays commemorating the 25th anniversary of the UN, addressing a wide range of problems.

5 – 77 *The Paralysis of International Institutions and the Remedies: A study of Self-Determination, Concord Among the Major Powers, and Political Arbitration*, Istvan Bibo, 152pp, 1976, Krieger, $17.50. Maintains that existing international institutions lack the constituencies essential to effective operation.

5 – 78 *The New Nations in the United Nations, 1960 – 67*, David Kay, 254pp, 1979, Columbia, $15.00. A study of the influence of newly independent States prior to their dominance in the General Assembly.

5 – 79 *Defeat of an Ideal: A Study of the Self-Destruction of the United Nations*, Shirley Hazzard, 286pp, 1973, Little, Brown, $8.50. A former member of the U.N. Secretariat claims that the structure and competence of the U.N. have been hopelessly corrupted – initially by yielding to U.S. security practices, then by neglect, and finally by advanced bureaucratic paralysis. Her conclusion: Start over again.

5 – 80 *UNESCO and World Politics, Engaging in International Relations*, James Sewell, 384pp, 1975, Princeton, $18.50. A study of the workings of UNESCO and its politization.

H. Peacekeeping & Sanctions

5 – 81 *The Power to Keep Peace, Today and in a World Without War*, Lincoln Bloomfield, and others, 250pp, 1971, World Without War Publications, $2.95. A revised edition of the basic study of international peacekeeping. This book is indispensable to any student or citizen interested in seeing the international community develop a strengthened peackeeping capability. Includes contributions by Hans Morgenthau, Stanley Hoffmann, Thomas Schelling, and others, plus policy proposals, U.N. documents and proposals of private organizations, all focused on achieving a standby U.N. police force.

5 – 82 *Peacekeeper's Handbook*, International Peace Academy, 339pp, 1978, International Peace Academy, $10.00. A practical handbook on the problems of U.N. peacekeeping forces prepared by experienced practitioners of the craft.

5 – 83 *The Thin Blue Line: International Peacekeeping and its Future*, Indar Jit Rikhye, Michael Harbott and Bjorn Egge, 353pp, 1974, Yale, $18.50. Case studies of U.N. peacekeeping operations and other attempts at multinational conflict control set the background for thoughtful proposals for the future.

5 – 84 *The Sinai Blunder*, Major General Indar Jit Rikyhe, 240pp, 1980, Biblio, $24.00. A first-hand account of the events leading to the withdrawal of the U.N. Emergency Force from the Sinai in 1967 by its then Commander, now head of the International Peace Academy.

5 – 85 *The United Nations Operation in the Congo 1960 – 1964*, Georges Abi-Sabb, 206pp. 1978, Oxford, $4.95. Examines the U.N. decision to deploy a peacekeeping force in the Congo, and the decisions after deployment as a contribution to evolving a legal basis for conflict mediation. One of five books in the American Society of International Law's series "International Crises and the Role of Law"; others are *Cyprus*, 1958-67, Thomas Ehrlich; *The Cuban Missile Crisis*, 1962, Abram Chayes; *Suez*, 1956, Robert Bowie, and *Points of Choice*, Roger Fisher.

5 – 86 *Points of Choice, International Crises and the Role of Law*, Roger Fisher, 89pp, 1978, Oxford, $4.95. Indicates how law can help resolve international disputes involving conflicting goals, provided mediators, arbitrators, elections or courts are accepted and each side is prepared to lose some of its objectives.

5 – 87 *International Peacekeeping at the Crossroads, National Support Experience and Prospects*, David Wainhouse, with Frederick Bohannon, James Knott and Anne Simons, 640pp, 1973, Johns Hopkins, $30.00. Presents case studies of past United Nations peacekeeping forces, and asks under what conditions they are desirable.

5 – 88 *Soldiers Without Enemies: Preparing the United Nations for Peacekeeping*, Larry Fabian, 315pp, 1971, Brookings, $4.95. A comprehensive treatment of the history, evolution, and structure of U.N. peacekeeping operations, national attitudes toward them, and recommendations for improving the U.N.'s capability in this field.

5 – 89 *An Inter-American Peace Force within the Framework of the Organization of American States*, James Jose, 334pp, 1970, Scarecrow Press, $7.50. The author finds unlikely the creation of an often discussed peacekeeping force.

5 – 90 *Economic Sanctions and International Enforcement*, Margaret Doxey, 160pp, 1980, (2nd ed.). Oxford, $22.00. A survey of the cases where sanctions have been imposed and an assessment of their effectiveness.

5 – 91 *Sanctions, The Case of Rhodesia*, Harry Strack, 318pp, 1978, Syracuse, $15.00. Examines the effect of external sanctions on internal developments within Rhodesia from 1965 to 1977, and assesses their effectiveness.

5 – 91A *Economic Sanctions*, Robin Renwick, 140pp, 1981, Harvard, $7.95. Examines the use of sanctions in the Italian-Ethiopian war in 1935 – 36 and against Rhodesia in the 1960s and 1970s and suggests what sanctions can and cannot do.

5 – 92 *The Implementation of International Sanctions*, P.J. Puyper, 372pp, 1978, Sijtoff & Noordhoff, $37.50. A case study of U.N. sanctions against Rhodesia as carried out by the Netherlands, and the legal and bureaucratic constraints which limited their effectiveness.

5 – 92A *Managing the Risks of International Agreement*, Richard Bilder, 302pp, 1981, Wisconsin, $22.50. Lists the ways in which non-compliance can be minimized.

I. International Organizations and Internal War

5 – 93 *The International Regulation of Civil Wars*, Evan Luard (ed.), 244pp, 1972, NYU Press, $12.00. An important study of how international organizations might aid in the resolution of essentially domestic conflicts.

5 – 94 *The International Law of Civil War*, Richard Falk (ed.), 226pp, 1971, Johns Hopkins, $25.00. Applies international law to the question.

5 – 95 *World Order and Local Disorder: The United Nations and Internal Conflict*, Linda Miller, 235pp, 1967, Princeton, $10.00. An analysis of the role the United Nations has played and failed to play in internal wars.

5 – 96 *Nonintervention and International Order*, R.J. Vincent, 457pp, 1974, Princeton, $20.00. Attempts to refute current Soviet and U.S. justifications for intervening in internal wars and thus to reestablish the principle of nonintervention as the rule in international law.

J. Specific Tasks and Activities

5 – 97 *International Mediation: A Working Guide*, Roger Fisher & William Ury, 159pp, 1978, International Peace Academy, $10.00. "From the UN peacekeeper on the local scene to the head of State mediating between two sworn enemies, all future go-betweens can benefit enormously from this goldmine of common-sense advice" (Lincoln Bloomfield).

5 – 98 *Referendums: A Comparative Study of Practice & Theory*, David Butler & Austin Ranney (eds.), 250pp, 1978, American Enterprise Institute, $7.25. Devoted primarily to domestic issues, but with reference to referendums as a means of deciding who should rule.

5 – 99 *The United Nations in Bangladesh*, Thomas Oliver, 231pp, 1978, Princeton,

$17.50. A comprehensive report on the relief operation run by the U.N. Secretariat.

5 – 100 *The United Nations and the Human Environment*, Louis Sohn, Chairperson, 72pp, 1972, Commission to Study the Organization of Peace, $1.00. Outlines specific proposals for improving the U.N.'s ability to deal with threats to the environment; includes Marion McVitty's "Declaration of the Rights and Responsibilities of Individuals with Respect to the Environment They Share," and Quincy Wright's "Draft Declaration on the Human Environment."

5 – 101 *To Keep the Peace: The United Nations Condemnatory Resolution*, William Orbach, 155pp, 1977, U. Press of Kentucky, $14.50. Maintains that condemnatory resolutions combine moral and political judgments but do little to keep the peace.

5 – 102 *Conflict through Consensus, United Nations Approaches to Aggression*, Julius Stone, 234pp, 1977, Johns Hopkins, $14.50. In 1974 the U.N. General Assembly reached a consensus definition of aggression. This book provides an analysis of how this was possible and concludes the agreement reached is a "Pyrrhic achievement." It won't help and may be harmful.

5 – 103 *The Concept of Aggression in International Law*, Ann Thomas & A.J. Thomas, Jr. 114pp, 1972, Southern Methodist University, $6.95. Provides an introduction to the issue.

5 – 104 *International Economic Sanctions: The Cases of Cuba, Israel, and Rhodesia*, Donald Losman, 156pp, 1979, U. of New Mexico Press, $12.95. Maintains that while economic sanctions brought significant economic hardship in these cases; they were not politically successful.

K. The Law of the Sea

5 – 105 *The United Nations and the Bed of the Sea* (II), Richard Swift, Chairperson, 45pp, 1970, Commission to Study the Organization of Peace, $.75. Seeks to achieve a U.N. resolution declaring the "sea-bed and ocean floor, and the subsoil thereof . . . the common heritage of mankind" and to assure that development of sea bed resources benefits all mankind.

5 – 106 *Pacem in Maribus*, Elizabeth Mann Borgese (ed.), 382pp, 1972, Dodd, Mead, $10.00. Considers the problems of planning and development for an Ocean Regime, harvesting sea resources, international controls, demilitarization of the seabed, and control of the growing threat of pollution. Includes recent specific proposals.

5 – 107 *Law of the Sea: Caracas & Beyond*, Francis Christy, Jr., et al (eds.), 416pp, 1975, Ballinger, $20.00. A report on the Law of the Sea Conference at mid-point, outlining the many areas of agreement – coastal waterways, the 200-mile economic zone, rights of innocent passage through international waterways – and areas of disagreement – the authority to mine deep sea bed resources.

5 – 108 *Ocean Yearbook*, Elisabeth Mann Borgese & Norton Ginsburg (eds.), 713pp, 1980, Chicago, $35.00. A timely collection of recent writings on the uses, wealth, and resources of the oceans, with an extensive, often confusing series of documents, tables, and reports from organizations involved in ocean issues.

5 – 109 *International Law of the Sea, A Bibliography*, N. Papadakis, 432pp, 1980, Sijthoff & Noordhoff, $85.00. A bibliographical guide to the literature.

(See Also Chapter 14.)

L. U.N. Reform

5 – 110 *Reform of the U.N. Security Council*, Hanna Newcombe, 104pp, 1979, Peace Research Reviews, $5.00. A wide-ranging description of numerous proposals for reforming the Security Council, with two criteria offered for evaluating them: Which are most "efficacious in producing true improvement, and acceptable to the world's national leaders."

5 – 111 *President Carter's Report on the Reform and Restructuring of the United Nations System*, Reprinted by the Campaign for U.N. Reform, 11pp, 1978, $.25. The Administration's response to the Baker-McGovern U.N. Reform Rider requesting clarification of the Carter Administration's approach to U.N. reform.

5 – 112 *Elements of U.N. Reform*, Walter Hoffman (ed.), 96pp, 1977, Campaign for U.N. Reform, $5.00. Seventeen papers advocating significant reform and restructuring of the U.N. system to make it capable of imposing settlements, producing change, and solving global problems.

M. World Order and World Law

5 – 113 *Future Worlds*, Richard Falk, 62pp, 1976, Headline Series, $1.40. An imaginative discussion of the various actors, their possible power relations and the form of world order possible.

5 – 114 *Alternative Approaches to World Government*, II, Hanna Newcombe, 94pp, 1974, Peace Research Reviews, $4.00. Describes briefly 16 approaches to a world government in which law is substituted for violence, also that law is an expression of the "essential unity of mankind." Law may be achieved through U.N. charter revision, a constitutional convention, regional federations, institutions built parallel to the U.N., through the gradual expansion of international law and through an initiative by the non-aligned who align themselves to accept law; unity can be achieved in many ways.

5 – 115 *Global Challenges*, Harry Blaney, 288pp, 1979, New Viewpoints, $6.95. Contending kinds of doom and institutional fixes are reviewed here, the proposals for voting powers in international institutions which reflect numbers and power are of special interest.

5 – 116 *The Court of Man: Introduction and Invitation*, Gerald Gottlieb, 28pp, 1973, Court of Man Foundation, free. A proposal for a world judiciary consisting of extranational courts of community.

5 – 117 *World Unification Plans and Analyses*, Hanna Newcombe, 1981, Peace Research Institute, $15.00. A collection of over 500 summaries of proposals for world government, world order, world unity, world community, and/or world citizenship.

Classic

5 – 118 *The Federalist Papers*, Alexander Hamilton, James Madison and John Jay, 559pp, 1961, (1788), New American Library, $2.50. In another setting, three experts on government consider the problems of federalism: How to resolve conflicting, often hostile, interests without violence. What is the relationship between the size of a territory and the type of government? How can the consent of the governed be achieved and, once achieved, be continually reaffirmed? How can liberty be defended and territorial integrity preserved?

5 – 119 *World Federalism: What? Why? How?*, Lawrence Abbott, 54pp, 1976, World Federalists, $1.00. A statement of the case for world federal authority to achieve world peace and promote change without war.

5 – 121 *Memoirs of a Man, Grenville Clark*, Collected by Mark Clark Dimond, Norman Cousins, and J. Garry Clifford (eds.), 319pp, 1975, Norton, $10.00. Papers of a leading advocate of world peace through world law, and co-author of the most detailed plan for world law published in this century.

5 – 122 *The Practical Way to End Wars and Other World Crises*, Mia Lord, 30pp, 1978, Association of World Federalists, $1.00. For every problem an institution can be spelled out, a legal remedy found.

5 – 123 *Stop Global Drift*, William Sheehan, 131pp, 1978, Center for the Future, $5.00. Describes the institutional drift of the present and calls for a world federal government capable of resolving world problems.

5 – 124 *Freedom in a Federal World*, Everett Lee Millard, 253pp, 1970, 5th ed., Oceana, $6.00. An exploration of issues of world federalism with a draft revision of the U.N. Charter.

5 – 125 *A Feasibility Study of World Government*, Theodore Caplow, 29pp, 1977, Stanley Foundation, free. Concludes that a world federation adequate to prevent war by disarming States and arming itself is "probably feasible under existing international conditions."

5 – 126 *A Constitution for the Federation of Earth*, World Constituent Assembly, Innsbruck, Austria, 50pp, 1977, World Constitution and Parliament Association, $5.00. A constitution complete with parliament, world executive, administrative structure, and courts; all that is wanting is consent.

5 – 127 *The Growth of World Law*, Percy Corbett, 216pp, 1971, Princeton, $13.50. Traces the development of legal institutions transcending the State which constitute the beginning of a framework of world law.

5 – 128 *A Constitution for the World*, Elisabeth Mann Borgese (ed.), 112pp, 1965, Center for the Study of Democratic Institutions, $1.00. An attempt to formulate a constitution for a government that would eliminate war and establish the preconditions of justice. Originally drafted in 1948 by a committee headed by Robert Hutchins with Rexford Tugwell, Stringfellow Barr, Mortimer Adler, and others as members.

N. Reference Works

5 – 129 *On the Creation of a Just World Order: Preferred Worlds for the 1990s*, Saul Mendlovitz (ed.), 1977, Macmillan, $6.95. Introduces the Institute for World Order's Model World Orders Project.

5 – 130 *International Organization: An Interdisciplinary Bibliography*, Michael Hass, 944pp, 1973, Hoover, $35.00. A comprehensive reference work on institutionalized cooperation among States from ancient times to the present.

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3. Functional United Nations Agencies

Food and Agriculture Organization of the United Nations (FAO)
Via delle Terme di Caracalla, Rome, Italy
To help countries increase food production and improve distribution, to coordinate the Freedom from Hunger Campaign, and to help administer the World Food Program.

General Agreement on Tariffs and Trade (GATT)
United Nations, New York, NY 10017
To establish and maintain a code of conduct for international trade, to assist in removing trade barriers, and to promote assistance to developing countries.

Inter-governmental Maritime Consultative Organization (IMCO)
101-4 Piccadilly, London W1V OAE, England
"Facilitates cooperation and exchange of information among governments on technical matters affecting shipping, with special responsibility for the safety of life at sea, high maritime standard and efficiency in navigation, and the prevention and control of maritime pollution caused by ships."

International Atomic Energy Agency (IAEA)
P.O. Box 100, A-1400, Vienna, Austria
Seeks the peaceful use of atomic energy through research, exchange of information, publication, establishment of safety standards, and application of safeguards for nuclear materials in many countries to ensure they are used for peaceful purposes.

International Civil Aviation Organization (ICAO)
100 Sherbrooke St. West, Montreal P.Q., Canada H3A 2R2
Promotes all aspects of international civil aeronautics, including the technology, economics, and legal aspects of the development of aviation.

International Development Association (IDA)
1818 H St., NW, Washington, DC 20433
"The IDA was created to promote economic development in the poorest of the developing countries. IDA makes loans on terms that are more flexible and bear less heavily on the balance of payments than those of conventional loans."

International Finance Corporation (IFC)
1818 H St., NW, Washington, DC 20433
Promotes private enterprise in less developed member countries by providing risk capital without governmental guarantees.

International Fund for Agricultural Development (IFAD)
Via del Serafico 107, EUR, Rome, Italy
The fund helps finance food production and rural development.

International Labor Organization (ILO)
4, route des Morillons, CH 1211 Geneva 22, Switzerland
Works to improve labor conditions through meeting of workers, management, and governments.

International Monetary Fund (IMF)
700 19th St., NW, Washington, DC 20431
"The IMF was established to promote international cooperation on economic problems and is the major international mechanism for stabilizing currency exchange rates and for providing additional resources for countries with balance of payment problems."

International Telecommunication Union (ITU)
Place des Nations, 1211 Geneva 20, Switzerland
Promotes international cooperation for the improvement and use of telecommunications.

United Nations Children's Fund (UNICEF)
United Nations, New York, NY 10017
"UNICEF assists developing countries to improve their basic services for children in health, nutrition, and education."

United Nations Conference on Trade and Development (UNCTAD)
Palais des Nations, 1211 Geneva 20, Switzerland
"Coordinates economic/social development of low-income countries."

United Nations Development Programme (UNDP)
One United Nations Plaza, New York, NY 10017
World's largest source of international technical cooperation for development.

United Nations Educational, Scientific and Cultural Organization (UNESCO)
7, Place de Fontenoy, 75700 Paris, France
UNESCO's aim is to stimulate progress in education, science, culture, and communication. It encourages international cooperation in these fields by bringing experts together, by serving as a clearinghouse for pertinent materials, and by providing assistance to member states.

United Nations Environment Program (UNEP)
P.O. Box 30552, Nairobi, Kenya
Works to protect the human environment by promoting environmentally sound economic and social programs.

United Nations Fund for Drug Abuse Control (UNFDAC)
Palais des Nations, 1211 Geneva 20, Switzerland
"Strengthens international control of narcotics by helping governments to exercise supervision over production of narcotic drugs, to take measures to combat illicit traffic, and to reduce the demand for illicit drugs."

United Nations Fund for Population Activities (UNFPA)
485 Lexington Ave., New York, NY 10017
"Projects/publications; largest multilateral population agency."

United Nations Institute for Training and Research (UNITAR)
801 United Nations Plaza, New York, NY 10017
Established to carry out research and training programs to help developing nations. Researches all aspects of UN operations and policy, especially peace, security, and development.

Universal Postal Union (UPU)
Weltpoststrasse 4, 300 Berne 15, Switzerland
Provides for the organization and improvement of postal services and promotes international cooperation.

World Bank
1818 H St., NW, Washington, DC 20433
"Loans, especially for comprehensive rural development programs aimed at small farmers."

World Food Program (WFP)
Via delle Terme di Caracalla, Rome, Italy
"Contributions of food, cash and services are used to assist nations in pre-school and school feeding and in economic and social development projects, and to relieve emergency needs."

World Health Organization (WHO)
20, Avenue Appia, 1211 Geneva 27, Switzerland
"WHO coordinates health action on a global [basis and aims] to integrate primary health care into an overall development effort."

World Intellectual Property Organization (WIPO)
34, Chemin des Colombettes, 1211 Geneva 20, Switzerland
Works to gain international cooperation in the protection of intellectual property including trademarks, copyrights, inventions, and designs.

World Meteorological Organization (WMO)
41, Avenue Giuseppe Motta, 1211 Geneva 20, Switzerland
Promotes international cooperation in meteorology to standardize, coordinate, and improve activities and encourage exchange of weather-related information.

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4. Toward Consent

Clark and Sohn maintain that world law is one of the essential building blocks necessary for world peace. Their proposal would *not* go into effect until ratified by the "four nations with the largest population and at least six of the ten next largest nations, the aggregate of the populations of the ratifying nations to equal at least five-sixth of the total world population"[1] This provision gives the four largest nations a veto power. But, as the authors point out,

[1]The sixteen countries with the largest populations in the world are (in descending order): The People's Republic of China, India, Soviet Union, United States, Indonesia, Japan, Brazil, Nigeria, Bangladesh, Pakistan, Mexico, West Germany, Italy, United Kingdom, France, and Vietnam.

without their agreement, the disarmament and other provisions would be ineffectual and, perhaps, dangerous to the point of war.

Gaining the consent of ten of the most populous states would be difficult. After ten years of debate in the Strategic Arms Limitations Talks, the two super-powers were not able to agree on the minimum level of armaments at which the doctrine of mutual assured destruction would still work. While a number of arms control agreements have been reached, their overall impact has not been to reduce the arsenals. They may have slowed down the rate of growth, but the arsenals of the two super-powers have continued to expand. A strategy is needed that could help create the conditions in which consent through negotiations is more likely than at present.

Such a strategy is being developed in the American Initiatives Project. The project begins with a single idea: the United States could *act* through other-than-military means, and prior to agreement with other states, in order to bring them into agreement with us on progress toward a world that resolves international conflict by legal and political processes, and thus, without the threat or use of mass violence.

In recent years, the term "initiative" has been misused in political discourse, having come to mean almost any action taken outside of negotiations, and even some within. The term is used here in a specific and limited sense: A peace initiative is a non-military step, taken outside of negotiations, which is designed to induce reciprocation from other states, and is designed to advance toward objectives that, if achieved, would constitute a world without war. Those objectives are:

1. Reversal of the arms race and progress toward disarmament under reliable inspection and control.
2. Achievement of international legal and political institutions that credibly and effectively provide an alternative to arms for the resolution of conflict.
3. Development of a minimal sense of world political community, thus providing legitimacy to the newly formed international legal and political institutions mentioned above.
4. Acceleration of economic and political development in the third world.
5. Effective protection of basic human rights.
6. Development of international processes and institutions for regional crisis mediation.

The goal of the American Initiatives Project is to develop specific acts this country could inaugurate toward each of the above objectives. Initiatives are sought which indicate by behavior the desire to begin progress toward each of these goals, which can induce the reciprocation of others, and which are capable of being linked in an overall peace initiative strategy.

TYPES OF INITIATIVES

There are at least four types of initiatives: intention clarifying, reciprocal, punitive, and coercive. Some initiatives simply indicate one's intent to pursue new goals. This may be a gesture such as admitting an adversary's ping pong team into your country or as complex as joint planning for the economic and social dislocation problems resulting from a successful disarmament effort.

Peace initiatives may also be acts you expect to be reciprocated. For example, you might adopt a standardized, military financial accounting system and report some of your expenditures through it with the provision that when your example is reciprocated, you will reveal other, more important expenditures. Another example of an initiative which invites reciprocation is a five percent reduction of military expenditures based on the standardized accounting system, which, when reciprocated by an adversary, would lead to another five percent reduction on your part.

Initiatives can be punitive in nature, designed to punish an adversary who does not reciprocate intention-clarifying or reciprocal intiatives. Punitive initiatives may involve mild, symbolic sanctions or severe loss of prestige or tangible resources. When employed, they should be tied to specific changes in an adversary's policy.[2]

Coercive initiatives could be tried in an effort to compel an adversary to reciprocate. Coercive initiatives could include a boycott of a country's exports, or an embargo on its imports. They could include a rejection of the country's passports as unacceptable in international travel. In a full strategy of peace initiatives, a wide variety of intention-clarifying, reciprocal, punitive, and coercive initiatives should be considered, and usually in that order.

HOW INTIATIVES WORKS

An initiatives strategy can help change the conditions in which negotiations take place. They can do so in at least five ways:

1. Initiatives can change the world political climate within which the leaders of opposing political systems act.

[2]Louis Sohn, for one, doubts the wisdom of punitive and coercive initiatives: "Punitive and coercive initiatives do not work in the relationship between the superpowers. Anything meaningful is too dangerous; everything else consists mostly of pinpricks. . . .It is better to emphasize . . .the impact on public opinion, both inside and outside the superpowers, of positive steps changing the belligerent image of one of them." Nonetheless, if this course does not produce the needed response, there should be a policy option other than acquiescence or building armaments to achieve change. In such circumstances, the possibility of punitive and coercive initiatives should not be excluded.

When leaders of an adversary state like the Soviet Union do a cost/benefit analysis of their alternative courses of action, they must consider world opinion. Leadership by one country out of the arms race and toward world law could significantly alter perceptions of who blocks the path to peace.

2. Initiatives can change the balance of forces within the opposing leadership.

Rival factions within the governmental hierarchy contest for scarce resources, prestige, and position. A leadership faction whose power is based on the image of a powerful enemy threatening the existence of the state, will find its influence lessened as that image is changed by the "enemy's" behavior.

3. Initiatives can bring pressure for reciprocal action to bear on and within the opposing society.

Actions by one state can communicate the possibility of changed relationships within another state by indicating that reciprocation by that state will bring significant, mutual benefits.

4. Initiatives can open alternative, nonviolent courses of action through which opponents may pursue their goals.

The possibility of pursuing ends sought through war in a new political process or international forum can be a lever for changing the policies of a state or movement committed to violence in the absence of such an alternative.

5. Initiatives offer the prospect of a world without war.

War and the threat of war are a major obstacle to the solving of many other functional or immediate problems now on the world's leaders' agenda. Included among these are world hunger, stagnant international economies, massive human rights violations, and poor health and education facilities. A country clearly indicating that it was pursuing a realistic way toward the objectives outlined above, should gain a sympathetic hearing from those working on other problems.

A peace initiatives strategy would make world peace and world law the primary goal of the initiating country's foreign policy. It would show a state's willingness in action to sacrifice for that goal. A country which indicates by its behavior that it is willing to take risks for a different future may change many people's minds about the merits of its political and economic organizaton.

Single initiative acts have been used before. President Kennedy announced an independent American cessation of atmospheric testing as an

inducement to gain Soviet cessation and negotiated agreement on a Test Ban Treaty. He indicated the U.S. would test only on a one-for-one basis if the Soviet Union tested. This initiative helped produce the Partial Test-Ban Treaty.[1] To achieve a world in which conflict is resolved through political and legal processes, one country would have to develop a persistent policy of initiative action undertaken in pursuit of the interrelated objectives outlined above. Such a policy entails a planned series of initiative acts, not isolated gestures. The first peace initiatives may, of necessity, be modest. They may only clarify the country's willingness to move toward new goals. As these initiatives are taken and reciprocated, more dramatic initiatives may be feasible. It is a fully developed strategy that can produce the leverage needed. While a single initiative might start the process, it is important to accompany it with a list of other planned initiatives that would be taken if the other side properly reciprocates. A clear promise of specified further steps may provide an additional incentive for reciprocal action.

The American Initiatives Project is at work developing such initiatives. An introduction to the project and to initiatives currently developed through it is available for $1.00 from the World Without War Council-Midwest, 421 S. Wabash, Second Floor, Chicago, IL 60605; (312) 663-4250.

[1]See Amatai Etzioni's "The Kennedy Experiment," *Western Political Quarterly*, June 1967.

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5. Selected World Affairs Organizations

Each of the following organizations has either supported the goals outlined in the title essay of this book, recently sponsored projects designed to strengthen the United Nations or other international peacekeeping organization or has sought to raise the level of public discussion concerning developing alternatives to war as a means of prosecuting international conflict. In addition to those organizations listed here, a large number of religious, labor, business, professional, and educational associations have sponsored projects in this field. Readers are invited to contact these organizations to find out about their current projects.

Academy for Educational Development
680 Fifth Avenue, New York, NY 10019; (212) 397-0040
An education, research, and planning organization at work on international negotiations and development.

American Academy of Political and Social Science
3037 Chestnut St., Philadelphia, PA 19104; (215) 386-4594
A common ground for those who have our social and political responsibilities at heart.

American Association for the International Commission of Jurists
777 U.N. Plaza, New York, NY 10017; (212) 972-0883
Members of the legal community in the U.S. work through the commission to promote the rule of law in other countries.

American Bar Association, World Order Under Law Committee
1800 M Street, NW, Washington, DC 20036; (202) 331-2000
Assesses international treaties and other developments in international law.

AFS: International / Intercultural Program
313 E. 43rd St., New York, NY 10017; (212) 661-4550
People who share in the learning and excitement of a high school exchange program now active in more than 60 countries.

Amnesty International
304 W. 58th St., New York, NY 10019; (212) 582-4440
The American branch seeks to develop a concern for prisoners of conscience, and promotes campaigns on behalf of selected individuals.

Arms Control Association
11 Dupont Circle, NW, Washington, DC 20036; (202) 797-6450
A group of professionals in the arms control and national security field which promotes fresh ideas on how to limit armaments.

Brethren Service Committee
1451 Dundee Ave., Elgin, IL 60120; (312) 742-5100
One of three historic peace churches with full-time staff active in Middle East relief work and other projects.

Campaign for UN Reform
600 Valley Road, Wayne, NY 07470; (703) 524-2078
Seeks to reform the United Nations by lobbying and electing people to Congress committed to its 14-point reform plan.

Carnegie Endowment for International Peace
11 Dupont Circle, NW, Washington, DC 20036; (202) 797-5400
30 Rockefeller Plaza, New York, NY 10112; (212) 572-8200
Seeks to reinvigorate and extend the public dialogue on world affairs issues.

Center for War Peace Studies
218 E. 18th St., New York, NY 10003; (212) 475-0850
Conducts conferences and publishes *Global Report* on arms control and disarmament issues, the Law of the Sea, International Organizations and other international subjects. Proposes a "binding triad" for global decision making.

Commission to Study the Organization of Peace
866 United Nations Plaza, New York, NY 10017; (212) 755-7361
Since 1939, the Commission has published twenty-nine reports offering specific recom-

mendations on topics such as establishment of the UN, environmental protection, and arms control and disarmament.

Committee for a Community of Democracies
13306 Fieldstone Lane, Reston, VA 22090; (703) 620-3467
Works to strengthen ties among the democratic countries in the world so as to permit common action on vital matters.

Consortium on Peace Research, Education, and Development (COPRED)
Center for Peaceful Change, Kent State University, Kent, OH 44242; (216) 672-3143
Links persons and institutions interested in scientific study, action-oriented research, and education on problems of peace and social justice.

Council on Religion and International Affairs
170 E. 64th St., New York, NY 10017; (212) 838-4120
Founded in 1914 with a mandate to "work toward ending the barbarity of war, to encourage international cooperation, and to promote justice."

The Experiment in International Living
80 Kipling Rd., Brattleboro, VT 05301; (802) 257-7751
One of the largest exchange organizations, with over 80,000 international student alumni.

Federation of American Scientists
307 Massachusetts Ave., NE, Washington, DC 20002; (202) 546-3300
Professional association of American scientists that expresses views on the arms race and other public issues.

Friends Committee on National Legislation
245 Second St., NE, Washington, DC 20002; (202) 547-4343
Lobbies Congress for measures to limit and reduce arms, to promote human rights, to eliminate hunger, and to reduce discrimination against minority groups.

Global Education Associates
552 Park Ave., East Orange, NJ 07017; (201) 675-1409
Seeks a more human and just world order and has developed education programs related to that goal.

Global Learning, Inc.
40 S. Fullerton Ave., Montclair, NJ 07042; (201) 783-7671
Dedicated to furthering a global perspective in education at the primary and secondary school levels.

Global Perspectives in Education
218 E. 18th St., New York, NY 10003; (212) 475-0850
A nonpartisan education effort building upon American democratic traditions, to prepare our youth for the challenges of national citizenship in a global age.

International Peace Academy
777 UN Plaza, New York, NY 10017; (212) 986-3540
Conducts international training seminars on the practical skills needed to conduct successful peacekeeping operations.

National Peace Academy Campaign
110 Maryland Ave., NE, Suite 409, Washington, DC 20002; (202) 546-9500
Seeks the establishment of an Academy to promote conflict resolution by non-military means, just as there are military academies training officers for conducting conflict by violent means.

Overseas Development Council
1717 Massachusetts Ave., NW, Washington, DC 20036; (202) 234-8701

Improves Americans' understanding of economic and social problems in developing countries and of the importance of the American economy for those countries.

Pax Christi
6337 W. Cornelia, Chicago, IL 60634; (312) 736-2113
An international Catholic organization working for disarmament and a just world order.

Peaceworkers
3149 Plymouth Road, Lafayette, CA 94549; (415) 283-6500
Building a roster of trained persons willing to volunteer for nonviolent duty as members of an International Peace Brigade.

The Stanley Foundation
420 E. Third Ave., Muscatine, IA 52761; (319) 264-1500
Holds annual Strategy of Peace Conferences, publishes occasional papers, and encourages study and education on managing global problems through world organizations.

United Nations Association of the U.S.A.
300 E. 42nd Street, 8th Floor, New York, NY 10017; (212) 697-3232
Increases U.S. public awareness of global issues, their relation to the United Nations system and, where appropriate, multilateral approaches to resolving those issues.

Women's International League for Peace and Freedom
1213 Race St., Philadelphia, PA 19107; (215) 563-7110
Seeks through nonviolent means to secure peace, freedom, and justice. Advocates universal disarmament, an effective U.N., an end to racism and sexism, and education for peace.

World Conference on Religion and Peace
777 UN Plaza, New York, NY 10017; (212) 687-2163
An international, inter-religious organization promoting greater understanding and more cooperative efforts among leaders of the major world religions.

World Constitution and Parliament Association
1480 Hoyt St., Suite 31, Lakewood, CO 80215; (303) 233-3548
Seeks ratification of the Constitution for the Federation of the Earth. When 25 countries have given provisional ratification, the first operative stage of world government will be organized.

World Federalists Association
1011 Arlington Blvd., Suite W-219, Arlington, VA 22209; (703) 524-2141
Conducts educational programs aimed at the development of global legal institutions capable of resolving global problems.

World Peace Foundation
22 Batterymarch St., Boston, MA 02109; (617) 482-3875
Seeks to advance the cause of peace through research and education in international relations; publishes *International Organization.*

World Policy Institute
777 UN Plaza, New York, NY 10017; (212) 490-0010
Develops practical proposals for preventing and eventually eliminating war, achieving economic well-being, advancing human rights, and establishing a healthy global ecology. Publishes *World Policy Journal.*

WORLD WITHOUT WAR COUNCIL

Our Starting Point: While conflict is inevitable, war need not be. War, the resort to mass violence to resolve international conflict, is a human institution; as such, it can be changed. Ending war will happen only when credible alternatives are available and functioning. The development of these alternatives —legal and political institutions to resolve conflict and defend democratic values—is the key to a world without war.

The Alternatives to War: We believe there are seven requirements for a world without war. They are:

•**Disarmament**	universal, general, inspected and enforceable
•**World Law**	to protect the peace and resolve international conflict
•**World Community**	to sustain law
•**Change and Development**	to protect justice, human dignity, and polticial freedom
•**Agreement among Nations**	the key to achieving the four requirements above
•**Forcing Change without Violence**	getting agreement while defending our core political and moral values
•**Root Values**	to provide the moral ground from which all the rest can occur

Our Strategy: The development and implementation of alternatives to war requires agreement among nations. Gaining that agreement starts at home. The United States, by virtue of its power and wealth, religious and political traditions, can play a key role in international conflict resolution. Our work is therefore focused on how America can lead in developing alternatives to war.

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OTHER TITLES PROMOTED BY WORLD WITHOUT WAR PUBLICATIONS

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1. **To End War, A New Approach to International Conflict**, Robert Woito, 755 pp, 1982, Pilgrim Press, $12.95. An introduction to the ideas, organizations, and resources that can help.

2. **The American Initiatives Project Prospectus**, Robert Pickus and George Weigel, 16pp, 1984, $ .50. An introduction to the perspective that can help end war and to specific proposals designed to fit that perspective.

3. **War and Peace in Literature**, Lucy Dougall, 171pp, 1982, World Without War Publications, $5.00. An annotated listing of 354 literary works from the Western tradition that hold a mirror up to war.

4. **War Peace Film Guide**, John Dowling, 188pp, 1980, World Without War Publications, $5.00. Offers annotated descriptions and evaluations of 287 war peace films, plus program aids and other resources.

5. **All Men Are Brothers**, M.K. Gandhi, 184pp, 1980, Continuum, $7.95. An anthology of Gandhi's writings on democracy, nonviolence, self-discipline, and education.

6. **Neither Victims Nor Executioners**, Albert Camus, 62pp, 1980, Continuum, $2.95. Camus' 1947 essay delineating the dividing line between those willing to murder for their political beliefs and those who refuse to do so. Includes an introductory essay by Robert Pickus relating Camus' themes to contemporary peace activity.

7. **Washington's Window on the World, A Directory of World Affairs Organizations and Institutions in Washington State**, George Weigel and Gemma Reidy, 211pp, 1982, World Without War Council of Greater Seattle, $8.95. A model analysis of the voluntary organizations and educational institutions through which Washington State forms its mind about this country's role in the world.

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World Peace through World Law is a book-length proposal for world government first published in 1958. This updated introduction to the book is intended as a reasonably complete summary of the book's basic principles, main features, and new applications. The Introduction has been revised by Louis B. Sohn specifically for this edition.

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George F. Kennan, 'On Nuclear War'
New York Review of Books, January 21, 1982

"***World Peace through World Law*** . . . is one of the most carefully thought through of the proposals for world government. . . .Grenville Clark and Louis B. Sohn spell out the minimum they think would be necesesary. . . ."

Jonathan Schell
The New Yorker, January 2, 1984

"Clark and Sohn's study not only is an extraordinary worthwhile basis for continued work, but could even in its unfinished state succeed in influencing history. Moreover, serious, tough-minded study of world government or other "alternatives" might even result in a scheme's being devised that could be negotiated without the pressure of war."

Herbert Kahn
Thinking about the Unthinkable, 1962

"***World Peace through World Law*** is generally regarded as the most scholarly and comprehensive proposal for the general and complete disarmament of all nations."

Harry B. Hollins
Bulletin of Atomic Scientists, June/July 1982

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